No part of our hiſtorian's performance has been more controverted than that relative to Queen Mary. Perhaps the next age may conſider her conduct in a light equally different from her preſent accuſers and her apologiſts. I would meet the former on their own ground, and frankly reply, that the brutal inſolence of Darnly to his wife, his ſovereign, his benefactreſs, deſerved ten deaths; and that Mary, if connected with the conſpirators, was, at worſt, but an executioner of juſtice. If ſhe wanted to depoſe and deſtroy Eliſabeth, ſtill the ruin of her country, the maſſacre of her friends, the loſs of her kingdom, her liberty, and her child, juſtified her revenge. Let us, for example, ſuppoſe that Mr Hume had been confined in one of the dungeons of the Holy Office at Liſbon, and that he had obtained a chance of eſcaping, *Query*, Would he have refuſed freedom, for fear of injuring the inquiſitor who arreſted him? Surely he could not have ſcrupled at knocking out the brains of the whole fraternity? Many modern hiſtorians, and among others, Mr Hume, have fallen into the practice of quaint wire-drawn portraits. The virtues and literary genius of James I. for inſtance, are expanded by our author into a quarto page, which can be regarded but as waſte paper. As a man of taſte, Mr Hume is often extremely ſingular. He affirms that Shakeſpeare "was totally ignorant of all theatrical art and conduct; that it is in vain we look either for continued purity, or ſimplicity of diction; and that he cannot for any time uphold *a reaſonable propriety of thought.*" There is much more to the ſame purpoſe.

Mr Hume, in common with moſt of our hiſtorians, has omitted to give an account of his materials. A judicious reader, when he ſees them perpetually referred to, will aſk who is Froiſſart, and who is Rymer? Till the acceſſion of the houſe of Tudor, his narrative is abrupt. For example, the reign of Edward III. extended to almoſt half a century, and is one of the moſt buſy and memorable in ancient or modern annals. It is compreſſed by Mr Hume within an hundred octavo pages, while the reign of Eliſabeth alone fills one of his largeſt volumes. His warmeſt admirers muſt allow, that he betrays a wide diſproportion of parts in the execution of his plan; but in truth, it was by far too extenſive to be completed by any ſingle pen. It was neceſſary to write a book of a ſaleable ſize. As an epitome of Engliſh hiſtory, it is too large; but as a complete hiſtory, it is by far too ſhort. We often ſee whole folios printed on the antiquities of a ſingle town, or a ſingle country pariſh. Why then ſhould we think it tireſome to read twenty or thirty volumes on the national hiſtory of our anceſtors? Mr Hume, like many men of eminence, has performed too little, by attempting to perform too much; yet his writings afford univerſal and laſting pleaſure. The diſtinctneſs of his manner, and the acuteneſs or plauſibility of his general obſervations, caſt a veil over the errors and deficiencies of his narrative.

On the ancient hiſtory of England, few writers have thrown more light than the famous Froiſſart. His chronicle commences with the acceſſion of Edward III. and ends with the death of Richard II. containing a period of ſeventy-three years. Like almoſt every other writer, he has numerous and obvious imperfections. But what Plutarch has remarked of a paſſage in Xenophon, may with equal juſtice be applied to this author. Froiſſart does not deſcribe a march, a battle, a ſiege, or a purſuit, but he places them before our eyes. By the firſt ſtroke of his artleſs, yet magic pen, we are tranſported into the tumult of action, and forward to forget that we continue in the cloſet. He has not indeed attempted the higher walks of eloquence. He is neither a Thucydides nor a Salluſt, nor does he diſplay the judgement and accuracy of Polybius; but he deſerves to be termed the Xenophon of his age. Replete with materials, it is true that he has inſerted a multiplicity of particulars, which are no longer intereſting at the diſtance of four centuries. But wherever his ſubject riſes equal to his abilities, full, without redundancy, intelligent and inſtructive without oſtentation, he charms us by that pathetic ſimplicity of manner, that minute but happy ſelection of circumſtances, which animates the page of the admired Athenian. Nor is it the leaſt honourable part of his praiſe, that he appears to have been entirely diveſted of national and of perſonal prejudice, and that without any veſtige of parade or affectation, he frequently diſcovers the traces of a feeling heart. The candid reader will forgive this tribute of reſpect. While hourly oppreſſed with a freſh multitude of inſipid compilations from compilations,

piſitions, we are in the moſt ſerious danger of forgetting the very exiſtence of thoſe ineſtimable writers from whom our whole ſources of information are originally derived. Of the many ſhip-loads of treatiſes on Roman affairs, which Engliſh, and ſtill more, French idleneſs has dragged into light, a numberleſs majority make not the moſt diſtant approaches to claſſical merit; and yet of the greater part of Greek and Roman hiſtorians, an entire and decent tranſlation will be ſought for in vain in either language. After ſuch mournful evidence of our ſtupidity, it is hopeleſs to add, that an accurate verſion of Froiſſart would be an important acquiſition to the literary world.

His memoirs exhibit a beautiful portion of feudal hiſtory; and a liberal mind will obſerve with peculiar pleaſure, that they are not deformed by the madneſs of theological rancour. They do not exhibit the horrid farce of nations exterminating each other for antiquated ſyſtems of faith, in the wildeſt degree abſurd, or abſolutely unintelligible. This venerable veteran was not to diſguſt us by the detail of controverſies and of martyrdoms, where learning is trivality, and fortitude at beſt but the frenzy of ignorance; nor were a cock fight and a card table, a maſquerade and an horſe race, to limit the amuſements and ambition of a brave and proud nobility. The Black Prince never condeſcended to become arbiter in the quarrels of a band of jockies, of fiddlers, or of ſtage-dancers. Neither his father nor his fellow-ſoldiers would have admired his magnanimity. Glowing with the moſt exalted ſentiments of perſonal independence and heroic fame, it was to vindicate the importance of his family, or the beauty of his miſtreſs, that the knight couched the lance, and ruſhed into the field. The rough but manly features of the ſoul, diſplayed an intereſting dignity: the paſſions blazed into their wildeſt effort; and though reaſon and humanity cannot always approve, the tear of ſenſibility attells that we admire.

Account of the TEST ACT.

[From the Hiſtory of Political Tranſactions and of Parties from the Reſtoration of King Charles II. to the Death of King William, by Thomas Somerville, D. D.]

A More impregnable and laſting fence for the protection of the church of England the zeal of this parliament raiſed, by obtaining the royal aſſent to the teſt-act, which excluded from any office or place of truſt and profit, all who did not renounce the doctrine of tranſubſtantiation, and receive the ſacrament of the Lord's Supper according to the form of the church of England. It is a curious and memorable circumſtance, that an act which ſhut the door of preferment againſt the Proteſtant Diſſenters, and doomed them to the ſame political incapacity with Roman Catholics, not only paſſed without any oppoſition from the former; but that it was promoted by the moſt reſpectable leaders of their party.

This conceſſion of the Proteſtant Diſſenters has been often applauded by their friends, as a ſingular example of prudence and generoſity; becauſe they ſacrificed their rights and reſentments to the dread of impending Popery, and the ſecurity of the reformed religion. Their conduct upon this occaſion, whether examined by the rules of probity or the dictates of enlightened charity, will be found deſerving of explicit and marked expreſſions of condemnation. Profeſſing to guard againſt Popery, did not the Diſſenters act under the influence of its worſt principles? Did they not abandon their rights, as men and as Chriſtians? rights, the renunciation of which, for a ſingle day, no fear of danger, nor proſpect of future peace, can juſtify at the tribunal of conſcience.

The event of Providence has inſtructed us, by this and every ſimilar experiment, to reprobate the imprudence, as well as the immorality of that maxim, That it is lawful to do evil when good may be obtained by it. A bill brought in for the relief of the Proteſtant Diſſenters, as the reward of their conſent to the teſt-act, was defeated by the diſagreement of the two Houſes, and the adjournment of parliament. And thus, the temporizing ſpirit of the Diſſenters has tranſmitted bondage to their poſterity, which the liberality of the age in which we live never could have impoſed; but from which even that liberality is not adequate to emancipate them, while it is counteracted by religious bigotry, and the timid policy of thoſe who diſpenſe the favours of government.

Authentic

Authentic Narrative of the ſufferings of Dr WILLIAM STAHL.

DR WILLIAM STAHL, a German by birth, went to Goa, where he practiſed phyſic. Here he became acquainted with Donna Maria Gabriela Nunez, a young widow, for whom he conceived a paſſion, which ſhe returned. He found, however, his addreſſes to Donna Maria thwarted by Father Franciſco her confeſſor, who had deſigns upon her himſelf which were not ſpiritual. Such is ſhortly the introduction to the narrative; the following are the author's own words.

Father Franciſco, when he ſaw the rapid progreſs I was daily making in the affections of Donna Maria, put on the maſk of diſſimulation, became more aſſiduous in his viſits, and feigned, by his looks and actions, how happy he would be to ſee us joined in matrimony. The whole of his conduct ſeemed ſo candid, reſpectful, and venerable, as rendered it impoſſible even for the moſt ſuſpicious individual to ſuſpect him of harbouring ſome ſecret ill-deſign in his heart. But, alas! I was ſoon to be convinced that a man ought not to truſt in outward appearances; and the following adventure ſoon unravelled the friar's treacherous intentions.

Every body knows that phyſicians and prieſts frequently meet in the diſcharge of their reſpective duties; I was one morning ſent for to the houſe of Don Pedro Saravia to preſcribe for his ſon, who was afflicted with a dangerous diſorder. Upon my arrival at this nobleman's, I found father Franciſco ſitting by my patient's bed-ſide. The young man was holding an ivory image of the Virgin in his hand, which he kiſſed ſeveral times. As the nature of his diſorder required him to be bled, I ſent for a ſurgeon, who came immediately, and was preparing to act according to my directions; but obſerving that the young man would not ceaſe licking and hugging the image of the Virgin, to the great hindrance of the ſurgeon, I adviſed him to lay it aſide, leſt it ſhould be ſtained with his blood, or become troubleſome in the operation. I had no ſooner uttered theſe words than father Franciſco left the room with an air of indignation, and making the ſign of the croſs, as if he had been in the clutches of the devil. In ſpite of the ſolemn gravity, inſeparable from a good profeſſor of the healing art, this ſtrange behaviour of the monk tickled ſo much my ſenſe of ridicule, that I could not help laughing moſt heartily, in which my honeſt friend the ſurgeon imitated my example to ſuch a degree, as made all the houſe ſhake with the roar of our voice.

The young patient, diſpleaſed at our mirth, which I own was rather unſeaſonable, ſtarted up in a fit of devout frenzy, aſking whether we were Chriſtians or Jews, to inſult his father confeſſor by ſuch irreverent and immodeſt proceedings? I anſwered him with great coolneſs and compoſure, that we reſpected father Franciſco as a miniſter of the church, but could not forbear thinking his abſurd departure, and the geſtures he made, extremely ridiculous. The young man diſſatisfied with our reply, hugged again his ivory Virgin, and deſired us both to withdraw.

We inſtantly complied with his requeſt, and had not gone fifty or ſixty yards, when a ſervant in livery overtook us, and delivered a note into my hand to the following purport:

"Tremble, ye heretics — Avaunt — Be gone! ! !—Enough of your profanation!—Our holy mother the church will ſoon take vengeance."

I went to Donna Maria, who was to be my bride in a few days; I found her waiting for me, and we ſat down to dinner *tete-a-tete*. This truly amiable female could ſee that my temper was ſomewhat ruffled, and aſked me, with a tender ſmile, what could be the cauſe of my confuſion. I related the whole of my morning adventure, and having done, ſhe addreſſed me with apparent concern, in the following manner:

"Dear Mr Stahl, you are a foreigner in this country, a ſtranger to the abſurd uſages which diſgrace it in the eyes of reaſon and humanity; permit me then, me that loves you, not ſo much for your perſonal accompliſhments, as for the excellencies of your heart and mind, permit me to tell you, that the adventure you have juſt related, will, I am afraid, lead to conſequences that muſt part us, perhaps for ever, and expoſe you to loſe the whole of your property, your liberty, and (which God forbid!) your life.

"The baſe Franciſco, that infamous monk, who has found me more virtuous than moſt of my country-women, who envies you my friendſhip, and my hand, has long been ſeeking an opportunity to

undo you, and to tear my heart. He will probably denounce you to the inquisition as an infidel, a Jew, or an heretic, and the consequences will be dreadful!!! Priests in this country are looked upon as terrestrial saints, incapable of committing sin; their word stands for truth, and the victim of their cruelty must expect a punishment excessively severe, if he should dare to expose their crimes, and to vindicate his innocence.—Dear friend! (here Donna Maria wept and embraced me) fly! fly hence without delay, else you are undone! return to Lisbon, I will follow you—believe Maria, she loves you, she trembles for your safety; I will follow you in the next ship that sails; never mind your property, I will save it if I can when you are gone. I have several estates in Portugal; here is an instrument which will intitle you to the annual rent and interest; take it, Sir, depart, for our loves sake depart! else you are undone—— and I too!!!"

Here I interrupted Maria, clasping her in my arms, and holding her close to my heart for several minutes—my feelings were too big for utterance—at last I fell down on my knees, and replied: Yes, madam! yes, adorable woman! thou loveft me, have my poor thanks, I am ready to depart. As long as there is life in this heart, it shall beat for Maria. But take this deed, I will not rob you of it; I have money at home, enough to defray the expences of my passage to Europe, and to support myself till I shall be blessed with thy sight. I rose, laid hold of her hand, trembling like a leaf withered by the autumnal blast, and ready to drop from the tree: Take this farewel embrace, said I, and may Heaven soon restore you to my arms—Adieu—remember me, remember your promise—you cannot deceive me.

I stole as it were from Donna Maria's presence, went to the port, where I found a ship ready to set sail on the next morning, and having agreed with the captain for my passage, I returned to my lodgings, sent my servant once more to Donna Maria, with a written billet, informing her that I had found a ship, and would call in a few hours to take my final leave, and to receive her commands, if she had any, to her friends in Portugal. I devoted every moment of my servant's absence to pack up my papers, and such things as I thought I might have immediate occasion for on my voyage. I must not neglect to inform the reader, that this servant of mine had been quite recently recommended to me by Father Francisco; he was a native of Evora, of the name of Jacome Lobo, a real devotee, and consummate hypocrite, a spy, set by that invidious priest, to watch my motions; qualities which I could not see nor suspect in him, till after I had suffered all the horrors which have induced me to publish my case.

By this time two hours had elapsed since the departure of my man, to whom I had given most positive orders to return as soon as he should have delivered his message. In times of danger we are apt to be mistrustful and suspicious, and I could not help ruminating and forming various conjectures respecting Jacome's stay. At last I threw up a window, and looked on all sides if I could not perceive him at a distance. On a sudden three raps are given against the door of my dwelling. The noise struck me with terror, I stood quite motionless. The door of my apartment opened soon after; and how great was my surprise to see an officer of the inquisition step in, and bid me follow him! I knew that all resistance was in vain, and put my trust in Him that befriends the innocent when all the world forsakes them. He shut the door of my apartment, and called out, when another officer came up with a candle, and put the seal of the inquisition over the key-hole.

The officer who apprehended me, conducted me straight to the house of the inquisition, called in Portuguese, *la santa casa*. The outside is spacious and magnificent; it has three gates in front; that in the middle is the largest, and leads to the stairs which conduct to the great hall. The side-gates guide to the apartments of the inquisitors, which are large, and well furnished. I was carried up into the great hall, where I found several prisoners who had just been apprehended; I crossed the hall, went into an anti chamber, and thence into the apartment where the judges of the inquisition were sitting. The Portuguese call that place, *mesa do santto officio*, or the table of the holy office. The walls were covered with blue and orange silks; at one end of the room was a large cross in *relievo*, which reached almost up to the cieling; in the middle stood a table about fifteen feet long, and four feet broad, it was surrounded with two arm chairs,

chairs, and ſeveral common ones; I was ordered to ſtand on the oppoſite end of the room, facing the croſs; the ſecretary of the inquiſition was before me in a chair, and the grand inquiſitor a little farther upon the right, in an elevated arm chair. The officer who conducted me to the audience, ordered me immediately upon entering the room to fall upon my knees; having remained five minutes in that ſtate of proſtration, the grand inquiſitor bade me riſe; he aſked me my name and profeſſion, and whether I knew the cauſe of my detention; he exhorted me to declare it as ſoon as poſſible, ſince it was the only means of being ſpeedily ſet at liberty. Having anſwered the two firſt queſtions, I told him that I believed I knew the cauſe of my detention; and if his reverence would condeſcend to hear me, I was ready to accuſe myſelf. Notwithſtanding this ſatisfactory reply, my judge told me that there was no occaſion to be in a hurry, he had affairs of a far ſuperior concern to determine, and he would let me know when he ſhould find it convenient to hear me. He rung a little ſilver bell, which was ſtanding upon the table, and the *alcade*, or goal keeper made his appearance immediately after. This officer ordered me to leave the room, and conducted me to a long gallery, whither the ſecretary followed us.

There I was ſtrictly ſearched, every thing was taken from me, even the buttons from the ſleeves of my ſhirt, and the ring from my finger. I had read an account of the proceedings of the inquiſition whilſt I was at Paris, and could hardly credit the contents of the book, but as ſoon as I found myſelf a priſoner of that execrable tribunal, I took an opportunity of eluding the vigilance of the officer who apprehended me in my houſe, to put a few pieces of gold between my ſtocking and the ſole of my foot, which fortunately eſcaped the notice of the ſearchers; I knew that my property was to become the prey of greedy prieſts, who were endeavouring to wreſt it from me. The ſecretary made an inventory of every thing taken from me; he aſſured me, that if I ſhould recover my liberty, every thing would be faithfully reſtored to me.

The inventory being ready, the alcade took me down ſtairs, and led me through a ſpacious yard, to the priſons of the inquiſition. They conſiſt of ſeveral ſeparate buildings of two ſtories, with a yard to each; every ſtory has a gallery, divided into ſeven or eight rooms or dungeons; each meaſuring ten ſquare feet; and the number of theſe rooms amounts to two hundred.

The alcade conducted me into a dungeon, in which there was no other priſoner but myſelf. Before he ſhut the doors, he told me, that if I wanted any thing, I ſhould call the guards by giving a gentle knock againſt the door; and if I deſired to be brought before the audience, the guards would inform him, and he would give notice to the inquiſitors.

As ſoon as the alcade had turned the key and bolt upon me, I began to reflect on all the horrors of my ſituation. I began to feel that the different accounts I had read reſpecting the inquiſition were nothing but plain truths, and that there would be no other means to ſave my life than to accuſe myſelf of crimes I had never committed.

At night two guards came and brought me a ſmall portion of boiled rice for my ſupper. I aſked them for books, combs, pen and ink, and ſuch wearing apparel as I thought I might be in need of. They told me that no priſoner was permitted to have any of the above articles, and that I very likely ſhould never want them more. Next morning they came with the alcade and cut off all the hair of my head; they conſoled me for that loſs by telling me, that every priſoner of the holy inquiſition, regardleſs of ſex or rank, muſt undergo this operation immediately after his commitment is made out by the lords inquiſitors.

As I believed I ſhould obtain my liberty when I ſhould have made my confeſſion, I was continually intreating my guards to bring me before my judges; but they would not liſten to my ſupplications from the day of my impriſonment, January 4. 1785, till the 20th of February following.

On that day the alcade accompained by two guards came, by two o'clock in the afternoon, to fetch me from my dungeon. He ordered me to pull off my ſhoes and ſtockings, and to follow him barefooted to the chamber of audience. As ſoon as we came to the door, the alcade entered, and made a low bow, and returned inſtantly to let me know that I was to go in alone. When I ſtepped in, I found, like the firſt time, the inquiſitor and the ſecretary. I was ordered

to fall on my knees, and ſoon after ſuffered to riſe and to ſit down on a bench, which was on the top of the table near my judge. I was commanded to lay my hand upon the maſs book, and to ſwear to tell the truth, and to keep the ſecret, two oaths which every priſoner brought before this tribunal is obliged to take.

I was next aſked if I knew the cauſe of my detention, and I was reſolved to declare it. I told him that I had been tempted by the devil to profane the image of the Virgin, by ordering a ſick perſon to lay it aſide; but that I was not aware of the enormity of this offence till I had maturely reflected on my conduct; that I had confeſſed this crime to my confeſſor, and would repent it to my laſt breath.

My judge aſked me if I had no farther confeſſion to make. I replied that I could not remember any other ſin againſt God and the holy inquiſition. "Well, ſaid the inquiſitor, you have acted a prudent part in accuſing yourſelf, and I exhort you, in the name of our Lord Jeſus Chriſt, to confeſs moſt ſpeedily all other crimes and tranſgreſſions, that you may obtain that mercy which this holy tribunal extends to thoſe who manifeſt true and ſincere repentance of their crimes by a free and voluntary confeſſion."

He made me read and ſign my confeſſion; then rung the bell to call the alcade, who reconducted me to my dungeon.

I was brought the ſecond time before the inquiſitors, on the 10th of March following, without having demanded audience, and flattered myſelf that they were going to ſet me at liberty. As ſoon as I entered the chamber, they aſked me if I had nothing more to ſay; they adviſed me to conceal nothing, but to confeſs ſincerely all my faults. Right reverend fathers, ſaid I, my conſcience upbraids me with no other guilt, nor do I remember any thing more. The next queſtion I was aſked was my name, that of my father, mother, grandfather, anceſtors, godfathers and godmothers, and if I was a *Chriſtian de otto dias, i. e.* a Chriſtian of eight days; becauſe in Portugal children are not baptiſed till the eighth day after their birth; and the women are not churched till forty days after their delivery.

My judge ſeemed ſurpriſed when I told him that the cuſtom of waiting a whole week to baptize a child was unknown in Germany, where they uſed to baptize children whenever the parents found it convenient.

They alſo aſked me the name of the rector who had baptized me, the dioceſe, the town, and at laſt, if I had been confirmed by the biſhop. Having anſwered all theſe queſtions, they made me fall on my knees, and rehearſe the Lord's prayer, the belief, the commandments, and other prayers, in Latin.

The inquiſitor made me ſign my examination, and diſmiſſed me as before.

My innocence and frankneſs had thus far mitigated the miſeries of my confinement; but I did not expect to be any longer crammed in a dungeon, after having voluntarily accuſed myſelf of crimes I had never been guilty of, and ſhewn the greateſt marks of repentance. The cruel inquiſitors had flattered me with a ſpeedy recovery of my liberty; but ſeveral months being elapſed ſince my confeſſion, I began to behold freedom as a bleſſing to which I had no further pretenſions. Sullen deſpair got ſo much the better of my reaſon and fortitude as made my heart a prey to grief, and the moſt painful ſenſations. I looked upon myſelf as marked out for deſtruction; nature had withdrawn all her comforts from my being; my mind gave up all hopes of my ſorrows, and I was conſtantly ruminating upon a method to make away with myſelf: I refuſed every kind of food; and as the mercileſs guards found that neither threats nor promiſes could make me change my ſyſtem, they informed the inquiſitors of the ſituation I was in, and by their permiſſion a phyſician was ſuffered to attend me.

[*To be continued.*]

Original Letter from Dr FRANKLIN *to* N. WEBSTER *Jun. Eſq.*

Philadelphia, Dec. 26. 1789.

DEAR SIR,

I RECEIVED, ſome time ſince, your *Diſſertations on the Engliſh Language*. It is an excellent work, and will be greatly uſeful in turning the thoughts of our countrymen to correct writing. Pleaſe to accept my thanks for it, as well as for the great honour you have done me in its dedication. I ought to have made this acknowledgement ſooner, but much indiſpoſition prevented me.

I cannot but applaud your zeal for preſerving the purity of our language both in its expreſſion and pronunciation, and in

in correcting the popular errors ſeveral of our States are continually falling into, with reſpect to both. Give me leave to mention ſome of them, though poſſibly they may have already occurred to you. I wiſh, however, that in ſome future publication of yours, you would ſet a diſcountenancing mark upon them. The firſt I remember is the word *improved*. When I left New England in the year 1723, this word had never been uſed among us, as far as I know, but in the ſenſe of *ameliorated* or *made better*, except once in a very old book of Dr Mather's, entitled *Remarkable Providences*. As that man wrote a very obſcure hand, I remember that when I read that word in his book, uſed inſtead of the word *employed*, I conjectured that it was an error of the printer, who had miſtaken a too ſhort *l* in the writing for an *r*, and a *y* with too ſhort a tail for a *v*, whereby *employed* was converted into *improved*; but when I returned to Boſton in 1733, I found this change had obtained favour, and was then become common; for I met with it often in peruſing the newſpapers, where it frequently made an appearance rather ridiculous: Such, for inſtance, as the advertiſement of a country-houſe to be ſold, which had been many years *improved* as a tavern; and in the character of a deceaſed country gentleman, that he had been, for more than thirty years, *improved* as a juſtice of the peace. This uſe of the word *improve* is peculiar to New England, and not to be met with among any other ſpeakers of Engliſh, either on this or the other ſide of the water.

During my late abſence in France, I find that ſeveral other new words have been introduced into our parliamentary language. For example, I find a verb formed from the ſubſtantive *notice: I ſhould not have* noticed *this, were it not that the gentleman, &c.* Alſo another verb, from the ſubſtantive *advocate: The gentleman who* advocates, *or who has* advocated *that motion, &c.* Another from the ſubſtantive *progreſs*, the moſt aukward and abominable of the three: *The Committee having* progreſſed, *reſolved to adjourn.* The word *oppoſed*, though not a new word, I find uſed in a new manner; as, *The gentlemen who are* oppoſed *to this meaſure, to which I have alſo myſelf always been* oppoſed. If you ſhould happen to be of my opinion with reſpect to theſe innovations, you will uſe your authority in reprobating them.

The Latin language, long the vehicle uſed in diſtributing knowledge among the different nations of Europe, is daily more and more neglected; and one of the modern tongues, viz. the French, ſeems, in point of univerſality, to have ſupplied its place; it is ſpoken in all the courts of Europe; and moſt of the literati, thoſe even who do not ſpeak it, have acquired knowledge enough of it to enable them eaſily to read the books that are written in it. This gives a conſiderable advantage to that nation; it enables its authors to inculcate and ſpread through other nations, ſuch ſentiments and opinions on important points as are moſt conducive to its intereſts, or which may contribute to its reputation, by promoting the common intereſts of mankind. It is perhaps owing to its being written in French, that Voltaire's treatiſe on toleration has had ſo ſudden and ſo great an effect on the bigotry of Europe, as almoſt entirely to diſarm it. The general uſe of the French language has likewiſe a very advantageous effect on the profits of the bookſelling branch of commerce, it being well known that the more copies can be ſold that are ſtruck off from one compoſition of types, the profits encreaſe in a much greater proportion than they do in making a greater number of pieces in any other kind of manufacture. And at preſent there is no capital town in Europe without a French bookſeller's ſhop correſponding with Paris. Our Engliſh bids fair to obtain the ſecond place. The great body of excellent printed ſermons in our language, and the freedom of our writings on political ſubjects, have induced a number of divines of different ſects and nations, as well as gentlemen concerned in public affairs, to ſtudy it, ſo far at leaſt as to read it. And if we were to endeavour the facilitating its progreſs, the ſtudy of our tongue might become much more general. Thoſe who have employed ſome part of their time in learning a new language muſt have frequently obſerved, that while their acquaintance with it was imperfect, difficulties, ſmall in themſelves, operated as great ones in obſtructing their progreſs. A book, for example, ill printed, or a pronunciation in ſpeaking not well articulated, would render a ſentence unintelligible, which from a clear print, or a diſtinct ſpeaker, would have been immediately comprehended. If therefore we would have the benefit of ſeeing our language

guage more generally known among mankind, we ſhould endeavour to remove all the difficulties, however ſmall, that diſcourage the learning of it. But I am ſorry to obſerve, that of late years, thoſe difficulties, inſtead of being diminiſhed, have been augmented. In examining the Engliſh books that were printed between the Reſtoration and the acceſſion of George II. we may obſerve, that all ſubſtantives were begun with a capital, in which we imitated our mother-tongue, the German. This was more particularly uſeful to thoſe who were not well acquainted with the Engliſh, there being ſuch a prodigious number of our words that are both verbs and ſubſtantives, and ſpelt in the ſame manner, though often accented differently in pronunciation. This method has, by the fancy of printers, of late years, been laid aſide, from an idea, that ſuppreſſing the capitals ſhews the character to greater advantage; thoſe letters, prominent above the line, diſturbing its even regular appearance. The effect of this change is ſo conſiderable, that a learned man of France, who uſed to read our books, though not perfectly acquainted with our language, in converſation with me on the ſubject of our authors, attributed the greater obſcurity he found in our modern books, compared with thoſe of the period above mentioned, to a change of ſtyle, for the worſe, in our writers; of which miſtake I convinced him by marking for him each ſubſtantive with a capital in a paragraph, which he then eaſily underſtood, though before he could not comprehend it. This ſhews the inconvenience of that pretended improvement.

From the ſame fondneſs for an even and uniform appearance of characters in the line, the printers have of late baniſhed alſo the Italick types, in which words of importance to be attended to in the ſenſe of the ſentence, and words on which an emphaſis ſhould be put in reading, uſed to be printed. And lately another fancy has induced other printers to uſe the ſhort round *s* inſtead of the long one, which formerly ſerved well to diſtinguiſh a word readily by its varied appearance. Certainly the omitting this prominent letter makes the line appear more even; but renders it leſs immediately legible; as the paring all men's noſes might ſmooth and level their faces, but would render their phyſiognomies leſs diſtinguiſhable. Add to all theſe improvements backwards, another modern fancy, that *grey* printing is more beautiful than *black*; hence the Engliſh new books are printed in ſo dim a character, as to be read with difficulty by old eyes, unleſs in a very ſtrong light and with good glaſſes. Whoever compares a volume of the Gentleman's Magazine printed between the years 1731 and 1740, with one of thoſe printed in the laſt ten years, will be convinced of the much greater degree of perſpicuity given by black ink than by the grey. Lord Cheſterfield pleaſantly remarked this difference to Faulkener, the printer of the Dublin Journal, who was vainly making encomiums on his own paper as the moſt complete of any in the world: "But, Mr Faulkener," ſays my Lord, "don't you think it might be ſtill farther improved, by uſing paper and ink not quite ſo near of a colour?" For all theſe reaſons I cannot but wiſh that our American printers would, in their editions, avoid theſe fancied improvements, and thereby render their works more agreeable to foreigners in Europe, to the great advantage of our bookſelling commerce.

Farther, to be more ſenſible of the advantage of clear and diſtinct printing, let us conſider the aſſiſtance it affords in reading well aloud to an auditory. In ſo doing the eye generally ſlides forward three or four words before the voice. If the ſight clearly diſtinguiſhes what the coming words are, it gives time to order the modulation of the voice to expreſs them properly. But if they are obſcurely printed, or diſguiſed by omitting the capitals and long *ſ*'s, or otherwiſe, the reader is apt to modulate wrong, and, finding he has done ſo, he is obliged to go back and begin the ſentence again; which leſſens the pleaſure of the hearers. This leads me to mention an old error in our mode of printing. We are ſenſible that when a queſtion is met with in reading, there is a proper variation to be uſed in the management of the voice. We have therefore a point, called an interrogation, affixed to the queſtion in order to diſtinguiſh it. But this is abſurdly placed at its end, ſo that the reader does not diſcover it till he finds he has wrongly modulated his voice, and is therefore obliged to begin again the ſentence. To prevent this, the Spaniſh printers, more ſenſibly, place an interrogation at the beginning as well as at the end of the queſtion. We have another error of the

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ſome kind in printing plays, where ſomething often occurs that is marked as ſpoken *aſide*. But the word *aſide* is placed at the end of the ſpeech, when it ought to precede it, as a direction to the reader, that he may govern his voice accordingly. The practice of our ladies in meeting five or ſix together, to form little buſy parties, where each is employed in ſome uſeful work, while one reads to them, is ſo commendable in itſelf, that it deſerves the attention of authors and printers to make it as pleaſing as poſſible, both to the reader and hearers. My beſt wiſhes attend you, being, with ſincereeſt-em, Sir, your moſt obedient and very humble ſervant,

B. FRANKLIN.

On the SOCIETY *of* GOLFERS.

THE Golf is, ſo far as is known, a game peculiar to the Scots. At what period it was firſt practiſed in this country, cannot now be aſcertained; but it muſt have been of great antiquity, there being ſtatutes prohibiting it * as early as the year 1457, leſt it ſhould interfere with the ſport of Archery; the exerciſe of which it was of importance to encourage, as the bow was at that time in moſt nations of the world, whether civilized or barbarous, the principal inſtrument of war.

By the invention of gunpowder, however, the uſe of the bow came ſoon to be entirely ſuperſeded as a military weapon; and the ſtatutes prohibiting the golf, as interfering with archery, being no longer neceſſary, of courſe fell into deſuetude; in conſequence of which, the exerciſe of the golf was again practiſed without reſtraint, and ſoon became the favourite amuſement of the nobility and gentry of Scotland. Even kings themſelves did not decline this princely ſport; and it will not be diſpleaſing to the Society of Edinburgh Golfers to be informed, that the two laſt crowned heads that ever viſited this country uſed to practiſe the golf in the Links of Leith, now occupied by the Society for the ſame purpoſe.

King Charles I. was extremely fond of this exerciſe; and it is ſaid, that when he was engaged in a party at golf on the Links of Leith, a letter was delivered into his hands, which gave him the firſt account of the inſurrection and rebellion in Ireland. On reading which, he ſuddenly called for his coach; and leaning on one of his attendants, and in great agitation, drove to the palace of Holyroodhouſe, from whence next day he ſet out for London.

His royal brother, the Duke of York, afterwards James II. was not leſs attached to this elegant diverſion. In the years 1681 and 1682, being then Commiſſioner from the King to Parliament, while the Duke reſided at Edinburgh, with his Ducheſs, and his daughter the Princeſs Anne, (afterwards Queen Anne,) a ſplendid court was kept at the palace of Holyroodhouſe, to which the principal nobility and gentry reſorted. The Duke, though a bigot in his principles, was no cynic in his manners and pleaſures. At that time, he ſeemed to have ſtudied to make himſelf popular among all ranks of men. Balls, plays, maſquerades, &c. were introduced for the entertainment of both ſexes; and tea, for the firſt time heard of in Scotland, was given as a treat by the Princeſſes to the Scottiſh ladies who viſited at the Abbey. The Duke, however, did not confine himſelf merely to diverſions within doors. He was frequently ſeen in a party at golf on the Links of Leith with ſome of the nobility and gentry. "I remember," ſays Mr Tytler of Woodhouſelee †, "in my youth to have often converſed with an old man, named Andrew Dickſon, a golf club maker, who ſaid, that, when a boy, he uſed to carry the Duke's golf-clubs, and to run before him and announce where the balls fell." Dickſon was then performing the duty of what is now commonly called a *fore-caddie*.

From that time till the preſent, the golf has continued to be a faſhionable amuſement in Scotland, particularly at Edinburgh; and among the liſt of the company who frequent Leith Links, will be found enrolled many names that would do honour to any Society.—To encourage this amuſement, the city of Edinburgh preſented the Society of Golfers with a Silver Club, to be played for annually by the Company, the victor to append a gold or ſilver piece to the prize. It has been regularly played for ſince, except in the years 1746 and 1747; ſo that there are now appended to it about 44 ſilver balls, bearing the names of the reſpective conquerors. The winner is ſtyled CAPTAIN, and is Preſes for the year.—As a further encouragement, the Society themſelves regularly give two annual prizes to be played for. The one, a Silver Cup, value ten guineas, on which is inſcribed the winner's

* James II. Parliament 14. c. 64.

† See Tranſactions of the Society of Antiquaries of Scotland, juſt publiſhed, p. 504.

winner's name and coat of arms, with a ſuitable inſcription, which cup becomes the property of the victor. The other prize is a Gold Medal, to be given to the beſt player at golf, and to be worn on the breaſt of the conqueror for a year, and as many years after as he is able to maintain his ſuperority, but no longer, it being then transferred to the perſon who is victorious.

For their better accommodation, twenty two members of the Company ſubſcribed 30l. each, in the year 1768, for building a houſe, where the meetings might be held. The ſpot choſen for this purpoſe was the ſouth-weſt corner of Leith Links, where an area was taken in feu from the Magiſtrates of Edinburgh. But the Society not being a body-corporate, this property was obliged to be veſted in Mr St Clair of Roſlin, Mr Keith of Ravelſton, and Mr W. Hogg junior, banker, for behoof of the whole ſubcribers. It is ſurpriſing the Edinburgh Golfers have never been incorporated. The Magiſtrates, or even Majeſty, would ſurely never have refuſed to grant a charter, upon application from ſuch a numerous and reſpectable body.

BRUTUS *to the Right Honourable* C. J. F**.

SIR,

IN looking over the phalanx of oppoſition, the public eye has been always pointed to you as its chief. Its friends exulted in your talents, and praiſed your virtues: your talents, even its enemies allowed; and if they doubted ſome of your imputed virtues in an abſolute moral view, yet, comparatively with their eſtimation of others, they were willing to admit them. They felt a conſolation in thinking, that if events ſhould ariſe by which that party might be brought into power, the abilities and good qualities of Mr F** might, in conjunction with thoſe of ſome of his friends, whoſe characters they had been accuſtomed to reſpect, protect the country from the confident raſhneſs, the extravagant rapacity, or unprincipled ambition, by which they had reaſon to fear that others of his aſſociates might be prompted.

On ſome late occaſions, Sir, you have ſeemed determined to force them to change that opinion. It was impoſſible to reconcile to any friendſhip to your country your ſupport of a recent meaſure, pregnant with every miſchief which political wiſdom could fear, or public virtue condemn. In the mover of that buſineſs, we might pardon to youthful preſumption the malignity of a meaſure which he was too inconſiderate to ſee, or too inexperienced to underſtand. But you, Sir, are paſt that political heyday of the blood, which leads the raſh and the unwary to indulge a paſſion for change, and to overlook the dangers of blind uncertain innovation. Liberty is the natural miſtreſs of a young man, who is freſh from claſſical ſtudies, and has juſt beheld her in all the beauty of Greek and Roman eloquence. We are not ſurpriſed, if a painted impoſture, under her name, ſhould tempt him aſtray. But you, Sir, are more temperate in the choice of your connections; you would look, one might imagine, to her intrinſic qualities, and not be dazzled by the tranſient complexion ſhe might wear, or the borrowed ornaments ſhe might aſſume.

In apologiſing for the conduct of the younger members of this aſſociation, we are obliged to ſtrain our good nature in aſcribing to them a want of foreſight, which, even at their age, it is difficult to ſuppoſe, but which we cannot believe poſſible at yours. A very moderate degree of foreſight was ſufficient to perceive, at this juncture, when anarchy and miſrule are "the very madneſs of the time," when certain moody ſpirits are known to be aſſiduouſly employed in decrying and endeavouring to ſubvert the conſtitution, the danger of letting looſe mens minds and opinions on a ſubject that touches it ſo nearly. To do this required, one ſhould have thought, hands too deſperate to be found among perſons ſo circumſtanced as the leaders of this aſſociation. There is, however, in the warmth and the vanity of their period of life, and of their rank in ſociety, a facility of being impoſed on, of which the artful and the profligate have never failed to take advantage. It is in this political club, as in the gaming ones of St James's-ſtreet; the cunning and the unprincipled, who run no riſk by the depth of the play, tell the young victims of their deſigns, that their ſkill is equal to that of the moſt knowing at the game, and inflame their ambition by the proſpect of ſtakes, which to them it is in reality nothing to win, but which it is undoubtedly ruin to loſe. You know the juſtneſs of this alluſion, Sir; but it is juſt only to a certain extent. At the gaming

ming table, a young man ventures for himself alone; this political hazard commits to the unequal chance which such companions afford the dearest interests of the commonweal. It sets at stake all those public blessings, all that national prosperity which, amidst the misfortunes of surrounding countries, Britain has been fortunate enough to attain, and which it were one of those acts of political suicide to which charitable men give the name of insanity, wilfully to throw away.

There is often, unfortunately, a shew of manliness in actions, which, in truth, are only rash or wicked. Manliness was a quality which your public appearances, whatever might be thought of their discretion, were generally allowed to possess. In the present instance, however, you did not quite come up to your characteristic firmness. You refused your name, and but half lent your opinion to this association. Those who look to Mr F** for political direction, may easily determine on the merits of a measure which *he* wanted courage to adopt, and talents to defend. You wished only to "call the attention of the people to such objects:" this is a language not difficult to be understood. What is this but to open a mine of mischief in which the enemies to all order and good government may dig at pleasure; where ignorance may confound and temerity mislead; and, worse than ignorance or temerity, where every one will have an advantage exactly in an opposite proportion to what the wise and the good would wish, in proportion to the desperation of his circumstances, and his abandonment of principle?

The general maxims on civil liberty and religious toleration, which you have of late been fond of delivering in parliament, are but a sort of common place, to which only talents like yours could give interest or novelty. Very inferior talents might suffice to discover the difference between the effective wisdom of a statesman, and the visionary speculations of a theorist; that necessity, or an experience next to necessity, is the only safe teacher of practical truths in particular governments; and that to adapt new expedients to infinitely complicated situations is an experiment of such hazard as actual and strong inconvenience alone can justify.--But I ask you pardon.--I am speaking the sentiments of one who wishes to preserve the peace, the security, and the happiness of a state; in a misapprehension of your motives, I may perhaps do injustice to your discernment.

Were I a partizan of the minister, I should be apt to remark it as a compliment to his administration, that his adversaries assail him through the constitution, and complain not of *his* defects, but of *its* imperfections. But the present subject is of too much importance to be attached to the private interests of any individual, be his merits or his estimation what they may. The question is not, who shall guide the state vessel, but if she shall be wantonly exposed to tempests and to shipwreck. I believe you too proud as well as too honest easily to bear the thoughts of that imputation which many will on this occasion bring against you, of watching the storm for the plunder of the wreck; that, tired of unsuccessful opposition, and seeing no prospect of change in the repose of these prosperous times, you are content to risk the internal peace of the kingdom, if amidst the war of faction you may attain that power which the peace of the kingdom is likely to deny you.

I am willing, however, to trust with those who have a proper respect for our national character, and contrast it with that foreign levity which one day swells into a madman's valour, and the next day sinks into the despondency of a coward, which one day melts in the sentiment of a romance, and the next day bursts into the fury of a savage; I am willing to trust with such men, that the good sense of a very great majority of the people will save us from any of those calamities which the unthinking might cause, or the profligate enjoy. But we must remember the injury intended us, though its accomplishment may be prevented. Nor will our gratitude want objects any more than our resentment. Besides those whose eloquence was exerted in the cause of their country, there are others with whom it has been your boast to act, to whom we are indebted for a strenuous resistance to this measure, tho' their party connections might, in lighter or less worthy minds, have pleaded for its support. We are glad of another opportunity of bestowing our applause on the virtue of the Duke of ******** and Lord **********. In your better moments you must feel it as we do; we hope, not less for the sake of your fame than of our interest, that you will follow as well as feel it.

PARLIAMENT. [p. 181]

In the Houſe of Commons, April 18. Mr Sheridan, purſuant to the notice he had given before the holidays, roſe for the purpoſe of moving an inquiry into the petitions before the Houſe from the Royal Burghs of Scotland. He entertained ſanguine hopes that, during the receſs, gentlemen had turned their conſideration to the ſubject, and that the effect of ſuch conſideration would induce them not to reſiſt his motion for a committee. Out of ſixty-ſix of the Royal Burghs, fifty had petitioned the Houſe; theſe petitions were ſigned by a great majority of the inhabitants—by a majority of the rank and property of the Burghs; the petitions, therefore, looking to the deſcription of perſons from whom they came, unqueſtionably merited the moſt ſerious conſideration of the Houſe. The petitions invariably ſtated, as the grievances of the burghers, the miſuſe and miſmanagement of their corporations, by perſons over whom they had no controul—they complained of exactions by the corporations—of a waſte of the public property—of debts contracted without their conſent—and that there was no judicature in Scotland poſſeſſing powers to grant the petitioners redreſs upon any of the grievances he had ſtated. The Hon. Gentleman went into a detail of his various attempts to obtain an inquiry into it, and a redreſs for the evils, for the laſt three years; and contended, that if his motion for a committee ſhould be negatived, it would be in fact a refuſal to enter into an inquiry, whether the grievances ſtated in the petitions did or did not exiſt. It would be a ſlimſy argument indeed againſt his motion, that there was not time enough in the preſent ſeſſion to complete the propoſed inquiry, as it muſt be evident to every gentleman, that the buſineſs before the Houſe was not likely to be ſpeedily concluded, and that the ſlave trade alone would occaſion an attendance much beyond the period neceſſary for going through with his inquiry. He was ready, he ſaid, to waive the remedy, in this early ſtage, which he propoſed for the grievance; it was to abolish the ſelf-electing power of the magiſtrates; and againſt this propoſition it would not be a ſufficient argument to ſay, that in England there exiſted precedents of ſuch ſelf-elections; for a deteſt in England would not warrant the maintenance, or render it a leſs grievance, that a ſimilar defect ſhould exiſt in another country; but there was no analogy in the fundamental ground upon which the conſtitutions of Scotland and England ſtood; for though he doubted not that grievances did exiſt in the management of Engliſh corporations, redreſs could be obtained in the Engliſh courts of judicature, and that was the great difference between the two countries; for in Scotland they had no competent judicature for the redreſs of their grievances.—He pledged himſelf, if the committee ſhould be granted him, that he would incontrovertibly prove the exiſtence of the grievances he had ſtated. The preſent times, he ſaid, had by ſome been conſidered as improper to bring forward any motion for reformation in the conſtitution, and ſuch an argument had been advanced as a bar to his propoſitions; but with him it had no weight; the conſtitution could not be endangered by reform; for by reform it had been brought to its preſent ſtate; and the perfection of the conſtitution he conſidered to be in its principle of admitting of continued reforms. Reformation had been reprobated as a word calculated to cover revolution; and a reformation at the preſent moment, when the revolution in France was freſh in the public mind, was by ſome ſtated to be dangerous; but public opinion upon that revolution had materially changed; there had been a time when every alluſion to it was ſtudiouſly avoided, and when it had been conſidered as an impious myſtery, not to be touched; but it was now to be met with whichever way you turned; it was wafted upon every breeze, and was the general ſubject of diſcuſſion: it became then the duty of the Houſe, and the country at large, to ſee what wiſdom was to be obtained from it; the people of Great Britain needed to have but one feeling from it, which was, that it had deſtroyed an old and deteſtable enemy, deſpotiſm, which had coſt many lives, and two-thirds of their debt. The new government ſubſtituted in France in its ſtead, was known alone by the advantages it had given to this country; the National Aſſembly had proved the beſt committee of ſupply to this country it had ever ſeen; and if ſuch good intelligence from India ſhould arrive as was expected, that intelligence was to be attributed to the revolution in France. It would

not

not therefore be fair to urge the revolution as a bar to his motion for a reform in the Scotch burghs, or to any reform that might be propoſed in our conſtitution; for that revolution afforded us the beſt of all opportunities of examining into our defects or grievances, and reforming them in a period of peace and ſafety. Two impreſſions upon the public mind, he admitted, had ariſen from the revolution, and had been carried to extremes not to have been expected, but much to be regretted, one of which was a levelling principle, and the other a principle of timidity, both of which were big with danger; the latter inducing men, who were not before ſo inclined, to fly to the Crown for protection, and to endeavour to ſtrengthen the arm on which they depended for ſupport; and the former encouraging and ſpreading opinions which ought not to be adopted by any honeſt or humane man. There was a middle deſcription of perſons who were inclined to look on as philoſophers, taking part with neither, but that body was hourly diminiſhing by the attractions of the other bodies, and could not fail of being ſpeedily annihilated. To do away the miſchiefs that might be expected from either of the two firſt predominating, the Houſe ought to convince the public, by their ready attention to the petitions of the people, that to their repreſentatives they might ſafely look for a redreſs of every grievance. The preſent were not fit times to warrant the Houſe to be ſhy of the word *reform*; on the contrary, the period was arrived when it became abſolutely neceſſary to ſhew a readineſs to hear and redreſs grievances, the better to contradict and counteract the aſſertions of thoſe who laboured to induce the people to believe that they had no friend in the Houſe of Commons or Lords. Every good act of the legiſlature to remove grievances, and in conformity to the wiſhes of the public, would do more to defeat the exertions of malice and ſedition, than any number of elegant volumes. It was but a bad compliment to the Britiſh conſtitution to aſſert, that it was dangerous to meddle with it, or to propoſe reform; ſuch aſſertions to him appeared groſsly libellous; the Britiſh conſtitution was not ſo brittle or decayed, as to be endangered by a touch, or by an examination. No danger, he was convinced, could ariſe from the reform he propoſed, which, if at preſent it ſhould be rejected, would, he was poſitive, be followed up by a ſteady and manly perſeverance until the Houſe muſt comply; and in ſaying that it muſt comply he meant nothing further, than it would be ſo compelled to act by the irreſiſtible force of juſtice operating to the conviction of every member in the Houſe. He concluded by moving a reſolution, expreſſive of the number of petitions received, of the pledge of the Houſe in the laſt year to take them into conſideration early in the preſent, and that it was the incumbent duty of the Houſe to proceed to an inquiry into the grievances, and into a remedy.

The motion being ſeconded, and read from the chair,

The Lord Advocate of Scotland roſe to ſtate his objections to the going into a committee. He ſaid, the Hon. Gentleman had laid much ſtreſs upon the contents of the petitions and other papers on the table, by arguing, that they exhibited grievances and complaints that required an immediate inquiry as well as redreſs. In his opinion the complaints in thoſe petitions might be divided into three branches:—

Firſt, That the inhabitants of burghs in Scotland were liable to the illegal exaction of taxes, for which there was no adequate remedy; *ſecondly*, That there were inſtances of groſs miſrule and miſconduct by the magiſtrates of burghs, in the dilapidation of public property, and general management of their duty; and, *laſtly*, That there was no court of judicature in Scotland to which thoſe magiſtrates were reſponſible for what they did, or that had any controul over their conduct, however improper it might be.

The two firſt, he contended, were poſitions entirely unfounded. The laſt he would admit in part, as far as reſpected the production of accounts, and lamented that there was ſuch a deficiency in the law of Scotland as he muſt acknowledge that to be; and if a ſpecific propoſition was to be brought forward, either in the form of a bill, or any other way that could remedy this defect, he would moſt willingly join iſſue with the Hon. Gentleman, and be happy to ſupport it, provided the regulations were ſuch as went merely to remedy an exiſting grievance, and did not at all interfere with the conſtitutional ſyſtem of the Scots burghs, as eſtabliſhed by experience, and confirmed by the uſage and practice of ſo long a

period. If therefore the Hon. Gentleman confined himſelf merely to this, he would find that he had no ſuch fear about the word REFORM as the Hon. Gentleman had ſtated, and that, in fact, he was no enemy to reform when it was evidently neceſſary, though he never would agree to what ſeemed to be the principal object and bent of the Hon. Gentleman's endeavours, a complete ſubverſion of the preſent conſtitution of the burghs of Scotland, in order to ſubſtitute a new one, which, in his opinion, would in no degree tend to remedy any grievance; but, on the contrary, be at beſt a mere ſpeculation, which he would not heſitate to ſay was fraught with dangerous conſequences. The Hon Gentleman had ſtated all thoſe petitions and complaints as coming from the royal burghs of Scotland; but this he begged leave to deny; for the petitions, he contended, did not in general come from the royal burghs. When he allowed that there ought to be ſome remedy on the particular point of there being no court in Scotland competent to take into their cogniſance the accounts of magiſtrates, and wiſhed to ſee a proper remedy applied, he thought doing ſo could not be called an half meaſure, or palliative, as the Hon. Gentleman had ſtated every thing to be, that came ſhort of that total ſubverſion of the preſent conſtitution of the royal burghs, while this was contended for; and that the power of ſelf-election, as it was called in thoſe burghs, ought to be taken away, he, for one, ſhould always oppoſe every attempt that favoured ſuch a meaſure. With regard to what had been ſaid about illegal exaction of money from the inhabitants of Scots burghs, and that there was no remedy, he declared that ſtatement to be completely wrong; and he would add, that he had never even heard of any complaint of that nature having been made. He recurred to the period of the revolution, and the ſubſequent treaty of union, when it was the object of both countries to participate in every advantage that could be ſuggeſted for their mutual intereſts. At this time it did not appear that thoſe heavy grievances, now ſo much felt, had exiſted; nor was there then, or till lately, any complaint againſt them. He had been bred, he might ſay, from his infancy, to the Scots bar, and had not been in any of thoſe ſituations which the Hon. Gentleman alluded to, and which might have joſtled the law of Scotland out of his head; and it certainly muſt be much joſtled in any man's head, who aſſerted, that there was no court of judicature in Scotland, competent to take cogniſance of illegal exactions of money by magiſtrates from the inhabitants, upon whatever pretence it might be levied. He remembered two caſes, one from Aberdeen, and another from Glaſgow, on which he, as an advocate, had entered with warm declamation, where the Court of Seſſion ſo far received and entertained the complaint of the burgeſſes againſt the magiſtrates, that they entered into the merits of the caſe; and having thoroughly examined it, ſaw that the complaint was frivolous and groundleſs, and decreed accordingly. He would inſiſt, in the face of the Hon. Gentleman, and of any lawyer in Scotland, that if any magiſtrate exacted taxes from, or dilapidated the property of the burgeſſes, he was amenable to the laws of his country, becauſe there was a power in the Court of Seſſion to inquire into, and grant redreſs in all ſuch caſes.

Mr Fox conſidered the argument of the learned Lord againſt the motion, to be placed on ſuch unparliamentary ground, that he could never ſuffer to be taken without giving it his reprobation. Whenever a queſtion came before that Houſe for going into an inquiry, or for not going into an inquiry, upon any grievance ſtated to exiſt, aſſertion againſt aſſertion was not to be taken as argument; nor was it ſuitable to the dignity of the Houſe, or according to its duty, ſo to decide: — they ought either to go into the inquiry, or they ought to admit the facts complained againſt, and declare them too frivolous to be entered on; but when facts were ſtated to exiſt by one party, and denied by another as impoſſible, from their enormity, to have exiſtence, it certainly became the indiſpenſable duty of that Houſe to inquire. He agreed fully in his Hon. Friend's propoſition to change the elections for the corporations, as the only proper, effectual, and ſafe remedy to the evils complained of. Every propoſed reform was, he ſaid, termed by its enemies, a ſubverſion; but the preſent reform, though ſo called, appeared to him abſolutely neceſſary; for by the petitions it was evidently made out, that the burghs had been taxed more than was neceſſary; that there exiſted no court to take notice

of

of ſuch exactions; that the people had no choice in their magiſtrates; and their money was ſubjected to uncontrouled dilapidation. So ſituated, how could they be termed with propriety freemen? Or how could they, if they poſſeſſed the feelings of Britons, abſtain from petitioning the Houſe to remove thoſe grievances, under which they ought not to remain? The greater an abuſe was ſtated to be, the greater was the neceſſity for an inquiry, that it might be declared to the world, that Great Britain would ſuffer no ſuch abuſes to exiſt in her conſtitution. In the laſt ſeſſion, the Houſe pledged itſelf to go early in the preſent into the inquiry. Should that inquiry be refuſed, the Houſe would be guilty of a breach of promiſe. Let a committee be gone into, and if the grievances did not exiſt, let it be ſo declared; or that there were courts to take cogniſance of the grievances ſtated; but let not the inquiry be flinched from. It was the duty of the Houſe to go into the inquiry; the petitioners had a conſtitutional right to ſuch an inquiry, and he hoped they would continue their exertions to obtain it, until they were ſucceſsful. Inquiry could produce no evil; on the contrary, the moſt effectual way to ſtudy the peace of any country, and the maintenance of its conſtitution, was by attending to the petitions of the people. He did not pretend to be equal to a diſpute with any member of that Houſe, much leſs was he equal to the learned Lord upon the law of Scotland; but by the doctrine maintained by that learned Lord, it ſeemed to him, as if the inhabitants of North Britain were to be conſidered as having remedies to grievances, only *de jure*, but which were to be applied *de facto*. But if a member of the Britiſh parliament was bound to liſten to the petitions of any of the people of England, ſo he was to thoſe of Scotland; and if there was any difference in the degree of zeal with which he was to perform his duty, it was in the caſe now before the Houſe, where the complaint was, that the people were irregularly taxed; and he confeſſed freely, he ſhould, in his opinion, betray his conſtituents if he did not give his voice for this inquiry. As to the effect of the inquiry he ſhould not conceal his ſentiments. He ſuſpected that there could be no remedy but by altering the mode of election of this ſelf-elected council; but he ſhould be ready to retract that opinion, if he ſaw good reaſon for it. He knew nothing of the character and diſpoſition of the people of North Britain from any other means than from the many excellent ſamples of them in this country; but, he hoped, they loved the ſubſtance of liberty too well to permit the abuſes that had been ſtated to continue for any conſiderable length of time. If it were true that the magiſtrates impoſed in the manner ſtated, the people muſt be fallen much below the level of what he thought them, and that they muſt have feelings of liberty very different from Engliſhmen: and, until he became perſuaded that they were ſo, he ſhould willingly lend every aſſiſtance in his power to obtain their juſt rights, becauſe he knew it to be his duty to do every thing in his power for that purpoſe. He lamented, however, that ſome gentlemen, who were members of that Houſe, were rather indifferent upon the ſubject: for, he believed, if theſe petitions came from other parts of the iſland, more attention would have been paid to the ſubject. This, however, ſhould not ſlacken the efforts of theſe petitioners, but ſhould ſtimulate them to perſiſt; for if they did, the time would come when the Houſe of Commons would be *obliged*, he did not mean *improperly obliged*, but *obliged by reaſon*, to comply with their requeſt. To conclude, he was clearly convinced that the Houſe ought, upon all the arguments they had heard, to vote this inquiry into their ſtated grievances, which, if true, no man on earth could juſtify.

Mr Anſtruther was againſt the motion: the Hon. Gentleman (Mr Sheridan) had, in the courſe of four years, moved for a multitude of papers, which were now on the table, but he had not ſtated a ſingle fact from the whole of them to warrant the Houſe going into that inquiry he propoſed. He was deſirous of aſking the Hon. Gentleman, whether he could ſtate one grievance which had been made out, and to which a redreſs had been refuſed? he was confident he could not—the papers on the table would not be found to produce a ſingle ſtatement of fact; they abounded with general and unfounded allegations. He contended with the Hon. and learned Lord who had ſpoken againſt the motion, that the Court of Seſſion was fully competent to take cogniſance of all illegal aſſeſſments, and into every dilapida-

tion

tion of the public revenue; and with the learned Lord he had no objection to agree to a bill to give powers of inquiry into the management of the money of the corporation. He was not averſe to reforms, nor did he think the happy conſtitution of Great Britain, which he would ever defend to the utmoſt of his ability, likely to ſuffer by examination. He was not one who conſidered the French revolution as a cauſe for not now entering upon reform; but it induced him to be cautious, leſt he ſhould adopt that which, coming under the ſemblance of reform and amendment, might be productive of miſchief.

Mr Martin, from what he had heard in the preſent ſhort debate, declared that he never in his life gave a more hearty vote than for the preſent motion.

Sir James Johnſtone ſaid, that he formerly mentioned his readineſs to go into inquiry if any abuſes or grievances could be proved. Now, as one material grievance had been admitted on all ſides, viz. that magiſtrates could not be called to account for their management, he certainly would vote for the motion.

Mr Secretary Dundas ſaid, that thoſe attacks of the Rt Hon. Gentleman, often moſt ſevere ones, he had long been accuſtomed to, but he could aſſure the Rt Hon. Gentleman that they never ruffled his temper in the leaſt. He never loſt a moment's repoſe in conſequence of them, nor could they diſturb him in any way whatever. He muſt obſerve to the Houſe, that the Hon. Gentleman had totally and completely miſrepreſented and perverted every thing that had been ſaid before on this queſtion. When the Hon. Gentleman brought in his bill, he certainly oppoſed it, as an irregular way of obtaining its pretended object; and he certainly had ſuggeſted that it would be proper to put the Houſe in poſſeſſion of ſome facts relative to the grievances complained of before he called upon them to go into an enquiry reſpecting abuſes which they were entirely ignorant of. He was ſtill of the ſame opinion; and he inſiſted that his only object from the moment this ſubject was introduced into the Houſe till the preſent, was to have a fair and full diſcuſſion, which he had always been, and was at this moment, ready to go into, provided the Hon. Gentleman would bring forward ſome ſpecific propoſition as a remedy for the abuſes ſtated, and if he did this, he would find him willing to debate the matter with him in any way he pleaſed; and he believed he would be able to give the real ſtate of the matter to the ſatisfaction of the Houſe. A great many papers had certainly been produced, and he ſuppoſed they contained all the facts which the Hon. Gentleman wiſhed to bring forward, and certainly they were ſufficient in number, if otherwiſe well grounded; why, inſtead of all the delays that had occurred, did not the Hon. Gentleman come forward at once with his propoſition, that from the facts before them, and the propoſed remedy, they might judge whether the firſt were well founded, or if they were, whether the other was the beſt remedy to be applied. But what was there in the Hon. Gentleman's conduct that looked like ſincerity or ſeriouſneſs in this buſineſs? He laſt ſeſſion brought it forward the very day before parliament roſe, and the Houſe then came to a reſolution to take the matter into conſideration early in the next ſeſſion; and how had this been done?—The Hon. Gentleman had heard a rumour that parliament would riſe about the Eaſter holidays; and after being ſilent on the ſubject all the former part of the ſeſſion, he ſtarts it again on the day immediately before the Eaſter receſs. What he regretted moſt was the deluſion with which the Hon. Gentleman had deceived his clients, the Scots reformers, for ſeveral years, and the hopes, equally ſanguine and improper, which he had held out to them of accompliſhing redreſs, for ſuppoſed and unſubſtantial grievances; and he would maintain, that granting to them what the Hon. Gentleman ſo much called for, a ſubverſion of the preſent conſtitutional ſyſtem of internal government in thoſe burghs, would be the greateſt curſe that could befal them. He wiſhed, therefore, as ſoon as poſſible to have the matter fairly diſcuſſed and ſettled; and whenever the Hon. Gentleman fixed a day for the diſcuſſion of the old conſtitutional ſyſtem, in order to introduce a new, ſpeculative, and experimental one, that queſtion would, he truſted, be ſo argued, as to prevent any further propoſitions or attempts of a ſimilar nature.

With regard to his popularity in Scotland, which the Hon. Gentleman had touched upon, he really did not know how to anſwer him on that point, nor did he know or care what effect his opinions on the preſent queſtion might produce

produce in that way, becauſe he knew he was ſupporting the true intereſts of that country by the line of conduct he had followed. The only time that he had ever had an opportunity of trying his popularity in that country, was when he firſt became a candidate for a ſeat in that Houſe; he then certainly had nothing elſe to recommend him to a great and reſpectable county, who elected and returned him to parliament by a majority of three to one, and that when his popularity alone was oppoſed by all the weight and influence of government: ever ſince that period, he had been returned unanimouſly; and therefore, notwithſtanding the efforts of the Hon. Gentleman, and his whole band of watchmen, who he ſaid were attentive to all his motions, he certainly would oppoſe, in the moſt ſtrenuous manner, an abolition of the old and eſtabliſhed conſtitutional ſyſtem; and when contraſting the charters with the uſage, he would venture to tell the Hon. Gentleman, that he would acquire to himſelf no great popularity by ſetting aſide the uſage of forty years, which had generally been reckoned the beſt and ſafeſt criterion for determining all queſtions relative to the charters and ſetts of the Scots burghs. In ſhort, his only anxiety was to have the buſineſs ſettled one way or other, either in the Houſe or in a committee, and not to let it lie over longer, being convinced as he was that it had in its progreſs already occaſioned much miſchief in Scotland, and that it could not in the end produce any one poſſible advantage.

Mr Rolle ſaid, that his regard for the conſtitution led him to oppoſe every motion for reform that had been or could be brought forward. He reprobated the ſpeech of Mr Sheridan, as inflammatory and wicked.

Mr Sheridan ſaid, as to the Hon. Gentleman who with ſo much knowledge of debate, had declared his former ſpeech to be *inflammatory and wicked*, he begged leave to make uſe of a Rt Hon. Gentleman's words to himſelf, and to aſſure the Hon. Gentleman, that nothing he could ſay ſhould either ruffle his temper, or diſturb his tranquillity of mind. The Hon. Gentleman who was ſo zealous an admirer of the conſtitution, was content to admire it upon truſt, without examining its principles, or comparing its excellencies with its defects—and in this he acted wiſely; for to do the one required only confidence in the commendations beſtowed by others, but to do the other required knowledge and underſtanding. If the Hon. Gentleman had obſerved the ſame diſcretion with reſpect to his ſpeech, he would have ſaved himſelf the mortification of applying terms to it which it did not deſerve. Had he waited to form an opinion on truſt from the opinion of others, he would have thought it neither inflammatory nor wicked; for he would venture to aſſert, that there was not another Gentleman in the Houſe who had formed ſuch an opinion.—He had no wiſh to break the reſt of the Rt Hon. Gentleman, or to make his meals uncomfortable; for of all the members of adminiſtration the Rt Hon. Gentleman, by his open and manly way of doing things, whether right or wrong, had conciliated his good opinion the moſt. Notwithſtanding the compoſure with which the Rt Hon. Gentleman began, he had ſoon forgotten that he was not to be angry, and expreſſed himſelf in tones that did not indicate quite ſo much calmneſs as he profeſſed. If that was the *conſequence* of any thing he had ſaid, it was not the *object*. The object was to prevail on the Rt Hon. Gentleman to agree to going into the committee for which he had moved, and in that he had ſucceeded; for he now underſtood that the Rt Hon. Gentleman did agree—[Mr Dundas ſaid acroſs the table no! no!]—To what then, ſaid Mr Sheridan, did the Rt Hon. Gentleman agree? for I appeal to the recollection of the Houſe, whether his words did not clearly imply his aſſent to a committee—[Mr Pitt whiſpered Mr Dundas.]—I wiſh, ſaid Mr Sheridan, the Rt Hon. Gentleman may not be prompted. I ſhould be glad that he had no watchmen ſet over him on this occaſion but mine—[Mr Dundas ſaid he had not conſented to a committee of inquiry.]—Mr Sheridan proceeded. He was at a loſs where to find the Rt Hon. Gentleman's meaning. He had formerly brought in a bill on the preſumption that the abuſes it was meant to remedy did exiſt, with a view that thoſe who thought they did, might have an opportunity of proving in the committee on the bill that it was unneceſſary, if they had the means of doing ſo. He was then told by the Rt Hon. Gentleman that his mode of proceeding was irregular, that he began where he ought to end, and that the proper courſe would

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be firſt to call for evidence to prove the exiſtence of the grievance, and then propoſe his remedy. He had adopted the ſuggeſtion; and now that the evidence was on the table, and he was ready to prove that the grievances did exiſt, he was denied the proper parliamentary means, and called upon to bring forward the remedy he propoſed. He was not unprepared upon that ſubject; but as he knew that few gentlemen, perhaps not the Rt Hon. Gentleman himſelf, had examined, or even peruſed the evidence on the table, he felt the difficulty of calling upon them to vote reſolutions on documents which they had not read. If Gentlemen compelled him to proceed in this manner, it was impoſſible to believe that they were ſerious, or that they did not wiſh to get rid of an inveſtigation which they were afraid to meet. The Rt Hon. Gentleman had affected to ſay that he was not ſincere in his proſecution of this buſineſs. He called upon the Rt Hon. Gentleman to mention a time in which he had not been as zealous an advocate for the rights of the people as he profeſſed to be at preſent. That thoſe rights were ſacred, and that reform was neceſſary wherever they were violated, were the firſt political principles he had adopted. With thoſe principles he had come into parliament, with thoſe principles he had connected himſelf with men who merited his confidence and the confidence of their country. If the Rt Hon. Gentleman ſuppoſed that he had abandoned thoſe principles, that he was under any party influence or private obligation, that with-held him from acting upon them, he deſired once for all to tell him that he was groſsly miſinformed. The Rt Hon. Gentleman talked of his own popularity in Scotland; that he had ſtood candidate for a county, and carried his election againſt all the influence of government by more than three to one—with much more implied by his manner, which his *natural modeſty* would not allow him to expreſs by words—But then came the concluſion—all this was before he was tried as a political man; and, from that time to the preſent, he had taken care to have the influence of government in his favour. To this popularity he would adviſe him not to truſt with too much confidence, any more than to the boaſted apathy of his temper.—He admitted that the Rt Hon. Gentleman would not wince for trifles—as Monteſquieu ſaid, you muſt flea a Muſcovite to make him feel—and the Hon. Gentleman had ſometimes ſhewn that even his inſenſibility was not impregnable. It was impoſſible to proceed with any degree of regularity, or effect, but in a committee. As ſoon as that was granted, he would move certain propoſitions ariſing out of the evidence, the particular points of which he ſhould ſelect, and every member would have an opportunity of examining and controverting them, which could not be done ſo fully in any other mode. To this it was objected, that admitting the abuſes, the remedy which he propoſed, inſtead of being a benefit, inſtead of encouraging a liberal ſpirit of induſtry, and promoting the proſperity of the burghs, would introduce miſery and confuſion; and in ſupport of this argument, they who adduced it ſtumbled upon Paiſley, as an inſtance of increaſing wealth under the old ſyſtem

Now, it ſo happened, that Paiſley was not under that ſyſtem, nor had any ſuch grievances to check its induſtry as thoſe complained of by the petitioners. It was, therefore, an inſtance to his purpoſe, not to theirs, and gave reaſon to preſume that the decay and poverty of various other places was owing to the abuſes of their internal government. Neither was it his wiſh to alter the mode of electing the councils, which ſeemed to him the only effectual remedy, a well-founded objection. It was now admitted, that the burghers at large had no means of controul over the expenditure of their money; that they had not even acceſs to the accounts kept by the council, and could not apply to any tribunal to compel the production of them. Was not this a flagrant and ſcandalous grievance? Was it not as incredible as any that he had ſtated? And yet for this no remedy had ever been propoſed. He ſhould prove alſo, if allowed the means, that more money was raiſed under the head of ceſs than was paid to government. Some of the accounts on the table ſhewed a conſiderable difference between the aſſeſſments and the payments, and although the balance might have been honeſtly diſpoſed of, the circumſtance was a preſumption of malverſation, and a ſufficient ground of inquiry. When the learned Lord mentioned the caſes in which he had been employed as an advocate, he believed that he had forgotten

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that one of them was a caſe of dues of another kind. His declamation on theſe occaſions was doubtleſs worthy of higher praiſe than it would have been becoming for the learned Lord to beſtow, but he feared it might have been the occaſion of the cauſe's being loſt; and had he been the client, he ſhould have begged the learned Lord to ſpare his declamation, and ſtick as cloſely as poſſible to the facts and the law.—But what was the nature of this remedy, admitting it to exiſt? Every poor man, every induſtrious manufacturer, whoſe daily labour was barely ſufficient to maintain his wife and family, was to proceed by a ſeparate tranſaction. If he conceived that he was overcharged, he muſt pay his money in the firſt inſtance, and then leave his home to apply to ſome tribunal, or pay for the declamation of an advocate to get it back. In this purſuit he would have the ſatisfaction of knowing that he muſt pay all his expences, and contribute his ſhare to the expence of the defence, for it was the invariable rule, that the magiſtrates defended all ſuits againſt them out of the public purſe, and levied money accordingly. This was the miſerable remedy held out to the poor and induſtrious, on whom ſuch overcharges were likely to fall the heavieſt, even by thoſe who affirmed that a remedy did exiſt. Could any man imagine that ever it was effectual? Yet even this remedy they had not in fact, for as they had not acceſs to the accounts ſuppoſed to be kept by the magiſtrates, and as the ceſs was blended with other dues, they had no means of diſcovering, much leſs of proving, that overcharges were made. There was proof alſo of abuſes in the alienation of property. They who denied this, admitted that they knew of no caſe in which redreſs had been obtained, although they ſaid there was a remedy; and the reaſon was the ſame as in the other abuſe,—there was no means of coming at the accounts. It was only ſince the papers had been called for by the Houſe, that the private depoſits of the councils had been unlocked, and ſome of the abuſes, of which they contained the proofs, brought to light. His Hon. friend (Mr Anſtruther) had ſaid that the charters were worded in terms which time had rendered obſcure, and that uſage in all caſes was held to be the beſt explanation. He affirmed, that all the charters on the table, without exception, gave, in clear and expreſs terms, the right of electing the magiſtrates to the burgeſſes, and not to the magiſtrates to elect their ſucceſſors. The act of 1649, which made ſetts of the burghs what they now were, expreſsly admitted the clear interpretation of the charters, and like all acts for depriving men of their right of franchiſe, aſſigned reaſons for doing ſo; and among others recited the abuſes and inconveniences of popular elections; as thoſe who diſliked that mode did now. If the Houſe of Commons, when they paſſed the ſeptennial bill, which they had as much right to do as to paſs an act creating them all dukes, marquiſes, and earls, had paſſed a bill reciting all the real and ſuppoſed abuſes of popular election, that therefore it was fit to put an end to ſuch elections, and enacting, that the members of that and each ſucceeding Houſe ſhould elect their own ſucceſſors; what ſecurity would the people have had, either that no more money ſhould be levied on them in taxes than was neceſſary, or that they ſhould have a fair account of its application? Were ſuch a propoſition to be now made, what would be the opinion of his honourable friend? He would meet it with indignant oppoſition. Yet the ſituation of the people of Great Britain would then be no worſe than that of the burghers of Scotland under the preſent ſyſtem of ſelf-elected councils.—It mattered little to tell him, that there was ſimilar abuſes in Engliſh boroughs. It was a poor ſatisfaction to the petitioner from Scotland to be told that his Engliſh fellow-ſubject endured the ſame grievance. There might, for any thing that he knew to the contrary, be more to reform in England than in Scotland; while thoſe who felt the grievances did not complain, while they did not petition for redreſs, it was not his buſineſs to move ſuch reforms. But when they did complain, why they did apply in an orderly and conſtitutional manner for redreſs, whether from Scotland or England, they were entitled to every degree of attention that parliament could beſtow. The power of electing their own magiſtrates, he was convinced, would do more to correct abuſes than any other remedy that could be deviſed. Magiſtrates ſo elected, it was ſaid, might be as arbitrary in levying money, and as profuſe in ſpending it, as the preſent. If they were, the pople would

would have a ſpeedy remedy. They might turn out thoſe magiſtrates, chooſe honeſter men, and call the defaulters to account. Abuſe might be accidental, but could not be ſyſtematic. The effect of this remedy would even be to turn out the opulent burghers and let in the poor. He did not like it the better on this account; but as matters ſtood it would do juſt the reverſe; for the perſons in poſſeſſion of the corporations on the preſent ſyſtem were in general the meaneſt. In proof of this, he read over the names of the council of Pittenweem, with the quality of each——colliers, tailors, weavers, &c and aſked if theſe were men more reſpectable than were likely to be choſen by a popular election. An Hon. Baronet (Sir James Johnſtone) had candidly ſaid, that an abuſe being admitted to exiſt, he would vote for a committee. The Hon. Baronet, in a public letter, had formerly ſaid, that conſidering himſelf as truſtee for the councils of the burghs whom he repreſented, he ſhould think it as nefarious in him to do any thing to abridge or aboliſh their privileges. This was, no doubt, the feeling of many other gentlemen. They conſidered themſelves not as the repreſentatives of the people, but of the councils of the burghs by whom they were elected, which accounted for the little ſupport he received from the gentlemen from Scotland.——There was no need to fear but that if the committee was granted, the Scots burghs would meet with all the ſupport to which they were entitled. There was no ſuch thing as popular election in Scotland. The people there had no political weight. If the Rt Hon. Gentleman (Mr Dundas) would turn his attention to this point; if he would give them the political weight which the people in all free governments ought to poſſeſs; he would bind them more ſtrongly to their native ſoil, and would attach them more firmly to the conſtitution, than by empty praiſes which they could not feel, becauſe they had little among them to which they could refer. The redreſs for which he moved ſhould not be got rid of by any dexterity of management on the preſent occaſion, nor any direct refuſal to enquire. It was in its nature ſuch as muſt and *ſhould* be granted. He begged pardon for the expreſſion, but when he knew that the petitioners were reſolved to perſevere, deeply impreſſed as he was with the juſtice of their claim, it was not too much preſumption to ſay, that in a time of encreaſing reaſon and declining prejudice, the cauſe of truth muſt gain by every diſcuſſion, until it was finally carried.

Sir James St Clair Erſkine went over the general arguments againſt the reform, and contended that the abuſes alledged did not exiſt.

The Chancellor of the Exchequer ſaid, the motion was neither ſuch as ought to be negatived nor paſſed. The Hon. gentleman might move his propoſition of reform, and then the Houſe might go into a committee to conſider of it, if that ſhould ſeem proper. He therefore recommended to withdraw the motion, and take the other courſe. If the motion was perſiſted in, he ſhould move to adjourn.

Mr Sheridan withdrew his motion, and then moved, "That the ſeveral petitions, papers, and accounts, preſented to the Houſe in the laſt parliament, relative to the internal government of the royal burghs of Scotland, be referred to the conſideration of a committee." This gave riſe to a tedious debate, in which Mr Pitt, Mr Fox, Mr Sheridan, and Mr Dundas, were ſeveral times on their legs in reply to each other. The queſtion at length being called for, the Houſe divided, and negatived it; Ayes 27, Noes 69. Majority 42.

Mr Sheridan, in ſtrong terms, expreſſed his ſurpriſe at this deciſion, and ſaid the buſineſs ſhould not be ſo diſmiſſed. The petitioners were determined to perſevere, and while that was the caſe, he would perſiſt in bringing it forward from day to day, and from ſeſſion to ſeſſion, under the perſuaſion that the Houſe would be their counſel, that they had only to adduce their proofs. They had not deſired leave to ſubſtantiate their caſe by counſel at the bar. This they might now feel to be a proper ſtep; he ſhould conſult them upon it to-morrow, and give an early notice of a motion for admitting them to be heard by counſel, or of bringing forward their complaint in ſome other ſhape.

NEW

NEW BOOKS.

Long's Travels in North America, concluded. [p 189]

IT may poſſibly be of ſome uſe at this time, to lay before our readers, from the authority of Mr Long, ſome particulars ſtated in his account of the manners and cuſtoms of the North American Indians; which, correſponding with thoſe of the natives of Africa ſold for ſlaves to our Weſt-India Planters, will ſerve to ſhew, that if the ſavage natives, whether of America or of Africa, are left to themſelves, to follow the dictates of their own brutal diſpoſitions, or the more horrid cuſtoms which paganiſm, ferocity, and groſs ignorance have eſtabliſhed, more victims fall a ſacrifice to eſtabliſhed inhumanity, more cruelties are exerciſed upon each other in a ſtate of ſubjection to their arbitrary chiefs, under their reſpective rude governments, than in thoſe countries where European maſters have purchaſed and retained them as ſlaves.

Every account that has been tranſmitted from Africa repreſents the tyrants who are called the ſovereign Princes of the Negroes, as practiſing many acts of barbarity, ſimilar to thoſe we are about to relate, on their ſubjects, and on the priſoners taken in their wars with the neighbouring princes. It ſhould ſeem, therefore, highly expedient to be well aſſured that the poor Negroes tranſported from the coaſts of Africa to our Weſt-India Iſlands, would not have been in a worſe ſituation in their native country, from the arbitrary and cruel conduct of their chiefs towards them, or from their fate in war, than they are in under our our planters, who purchaſe them for their commercial purpoſes, and who, if proper regulations are enforced, cannot treat them ſo ill as their natural maſters, the chiefs of their reſpective countries.

"Some years ago," ſays our author, "the Shawano Indians being obliged to remove from their habitations, in their way took a Muſkohga warrior, known by the name of old *Scrary*, priſoner. They baſtinadoed him ſeverely, and condemned him to the fiery torture: he underwent a great deal without ſhewing any concern; his countenance and behaviour were as if he ſuffered not the leaſt pain. He told his perſecutors with a bold voice, that he was a warrior; that he had gained moſt of his martial reputation at the expence of their nation, and was deſirous of ſhewing them, in the act of dying, that he was ſtill as much their ſuperior as when he headed his gallant countrymen againſt them: that although he had fallen into their hands, and forfeited the protection of the divine power by ſome impiety or other, when carrying the holy ark of war againſt his devoted enemies, yet he had ſo much remaining virtue as would enable him to puniſh himſelf more exquiſitely than all their deſpicably ignorant croud could do, if they would give him liberty, by untying him, and handing him one of the red-hot gun-barrels out of the fire. The propoſal, and his method of addreſs, appeared ſo exceedingly bold and uncommon, that his requeſt was granted. Then ſuddenly ſeizing one end of the red-hot barrel, and brandiſhing it from ſide to ſide, he forced his way through the armed and ſurpriſed multitude, leaped down a prodigious ſteep and high bank into a branch of the river, dived through it, ran over a ſmall iſland, and paſſed the other branch amidſt a ſhower of bullets; and though numbers of his enemies were in cloſe purſuit of him, he got into a bramble ſwamp, through which, though naked and in a mangled condition, he reached his own country.

The Shawano Indians alſo captured a warrior of the *Anantoocah* nation, and put him to the ſtake, according to their uſual cruel ſolemnities. Having unconcerned ſuffered much torture, he told them with ſcorn, they did not know how to puniſh a noted enemy; therefore he was willing to teach them, and would confirm the truth of the aſſertion if they would allow him the opportunity. Accordingly he requeſted a pipe and ſome tobacco, which was given him. As ſoon as he had lighted it, he ſat down, naked as he was, on the warriors burning torches that were within his circle, and continued ſmoking his pipe without the leaſt diſcompoſure. On this, a head warrior leaped up, and ſaid, they ſaw plain enough that he was a warrior, and not afraid of dying; nor ſhould he have died, only that he was both ſpoiled by the fire, and devoted to it by their laws: however, though he was a very dangerous enemy, and his nation a treacherous people, it ſhould be ſeen that they paid a regard to bravery, even in one who was marked with war-ſtreaks at the coſt

of many of the lives of their beloved kindred; and then, by way of favour, he with his friendly tomahawk inſtantly put an end to all his pains.

So much for priſoners taken in war, or known to be of an enemy tribe, and met with accidentally alone in time of peace. Let us in the next place obſerve how they treat their dear kindred, of whom they pretend to make great account.

Death, among the Indians, in many ſituations, is rather courted than dreaded, and particularly at an advanced period of life, when they have not ſtrength or activity to hunt: the father then ſolicits *to change his climate*, and the ſon cheerfully acts the part of an executioner, putting a period to his parent's exiſtence. Among the northern *Chippeeways*, when the father of a family ſeems reluctant to comply with the uſual cuſtom, and his life becomes burdenſome to himſelf and friends, and his children are obliged to maintain him with the labour of their hands, they propoſe to him the alternative, either to be put on ſhore on ſome iſland, with a ſmall canoe and paddles, bows and arrows, and a bowl to drink out of, and there run the riſk of ſtarving, or to ſuffer death according to the laws of the nation manfully. As there are few inſtances where the latter is not preferred, I ſhall relate the ceremony practiſed on ſuch an occaſion.

A ſweating-houſe is prepared in the ſame form as at the ceremony of adoption, and whilſt the perſon is under this preparatory trial, the family are rejoicing that the Maſter of life (God) has communicated to them the knowledge of diſpoſing of the aged and infirm, and ſending them to a better country, where they will be renovated, and hunt again with all the vigour of youth. They then ſmoke their pipes, and have their dog feaſt; they alſo ſing the grand medicine ſong, as follows:—'The Maſter of life gives courage—It is true, all Indians know that he loves us, and we now give our father to him, that he may find himſelf young in another country, and be able to hunt.'—The ſongs and dances are renewed, and the eldeſt ſon gives his father the death-ſtroke with a tomahawk. They then take the body, which they paint in the beſt manner, and bury it with the war weapons, making a bark hut to cover the grave, and prevent the wild animals from diſturbing it.

Thus do the unenlightened part of mankind aſſume a privilege of depriving each other of life, when it can no longer be ſupported by the labour of their own hands; and think it a duty to put a period to the exiſtence of thoſe to whom they are indebted for their own, and employ thoſe arms to give the fatal ſtroke, which, in more civilized countries, would have been employed for their ſupport."

It is needleſs to add other inſtances given by our traveller and interpreter, who ſojourned and traded with ſo many different tribes of Indians, that he had an opportunity of tracing the natural diſpoſitions, as well as the local manners founded upon the ſavage rules and habits which they call laws: ſuffice it to remark, that in a thirſt for blood, in the purſuit of revenge, in the exerciſe of cruelties, and the practice of deſtroying as many of their fellow-creatures as poſſible, not excepting their own families and friends, eſpecially when their paſſions are raiſed by drunkenneſs, very little difference is to be found between one tribe or nation and another. The ſame may be ſaid of the African negroes, and the almoſt unexampled acts of ſavage brutality and dreadful cruelty recently committed at St Domingo put the matter out of doubt. Rigid laws and wholeſome regulations to prevent a few individuals from acting the part of Egyptian taſk maſters and bloody tyrants to their poor ſlaves, might in a few years baniſh every ſpecies of cruelty from the habitations of our Weſt-India planters; and every method ought to be tried, for ſeven years, at leaſt, from the preſent period, before ſuch an important change in the commercial part of our ſyſtem of policy is taken as a total abolition of the traffic for negroes, who, after all, are not ſuch abject ſlaves as Heſſians, and other German ſoldiers, ſold for ſlaughter by their Chriſtian ſovereigns to other Chriſtian ſovereigns—and purchaſed for a time by Britiſh miniſters; paid for, if knocked on the head, by the dozen, by Britiſh Parliaments, and no queſtions aſked them, whether they chooſe to deal in blood, or to fight the enemies of other nations, not the enemies of their native country; for then it were glorious even to be tomahawked in its defence; but poured forth in legions by their inhuman princes, and ſent like ſheep to the ſlaughter, with a fervent prayer that they may be cut off to a man, to fill the coffers of their needy

ſovereign,

ſovereign, who gains more by their death in money than he could poſſibly ſqueeze from "their hard hands" by their induſtry at home. The Weſt-India negro ſlave is often, for his ſervice, made free, the bullet or the ſabre alone ſet free the Heſſian ſlave!

In a ſecond expedition Mr Long winters again among the Nipigan Indians, whoſe territory is ſituated at about ſix days march from *Lake la Mort*, and to the north weſt, above Lake Superior. Here he traded with the natives as uſual, exchanging Britiſh merchandiſe for furs; and his deſcriptions of the country, together with the adventures he met with, furniſh a conſiderable fund of information and amuſement for his readers. His manner of living, amidſt daily apprehenſions and ſurrounding perils, ſhew him to be poſſeſſed of great fortitude; his commercial tranſactions likewiſe exhibit ſtrong traits of his ability, addreſs, perſeverance, and active zeal for the intereſt of his employers: not even the unhappy fate of poor Joſeph La Forme, a brother trader, whoſe tragic tale he relates in a pathetic manner, could frighten him from his ſtation; on the contrary, it only ſerved to excite him to redouble his diligence and precaution. The latter end of January 1779, having increaſed his family, by taking into his houſe the ſervants of the murdered La Forme, he found himſelf reduced to great hardſhips for want of proviſions, inſomuch that they were obliged to take off the hair from the bear-ſkins and roaſt the hide, which taſted like pork. This with ſome *tripe de roche* boiled, a weed of a ſpungy nature which grows to the rocks, was all their nouriſhment.

It is with concern we obſerve, that the farther the reader proceeds in theſe intereſting voyages and travels, the more inſtances he will find of the dreadful cruelty and baſe ingratitude of the Indians; he will likewiſe be aſtoniſhed that any ſet of men, or any individual born and educated in Britain, ſhould, for the ſake of the profits of trade, nay often for an inconſiderable ſalary, expoſe themſelves to ſuch perils by ſea and land, and to the riſk of ſuffering not only extreme hunger and cold, but the moſt excruciating tortures and horrid aſſaſſinations. The ſtory of Janvier, an Indian ſervant to Mr Fulton, an Engliſh trader; the account of the murder of Mr Joſeph La Forme, a brother-trader, ſettled at Lac le Sel; and the narrative of the preparations for putting to death Mr Ramſay, another Engliſh trader, are ſufficient to appal the ſtouteſt heart; and though his wonderful deliverance will afford a momentary pleaſure, the compaſſionate mind muſt recoil at the dreadful expedient. When the *Poes*, a very wild ſavage people inhabiting the country ſituated near Fort St Joſeph, were on the point of ſacrificing this gentleman, whom they had taken priſoner by treachery, he ordered his brother to ply them continually with rum during the death feaſt, until they became ſo intoxicated as to deprive them of all power of doing further miſchief; Mr Ramſay, who was tied faſt with cords to the ſtump of a tree, was next ſet at liberty by his brother; and to finiſh the tragedy, the two brothers cut the throats of all the Poes, recovered the goods they had taken from them, and paddled their canoe from ſhore as faſt as poſſible.

Mr Long's deſcription of the Loretto Indians, inhabiting a village about nine miles from Quebec, affords an agreeable relief from the frequent cataſtrophes he is obliged to relate. Theſe Indians were converted to Chriſtianity by Jeſuit miſſionaries, and are now a civilized race. And here Mr Long takes occaſion poſitively to contradict Baron de Hontan, a French writer, and Lord Kames, both of whom aſſert that the Indians have no beards, nor a ſingle hair upon their bodies, except upon their heads, and their eye laſhes, and eye-brows. And Lord Kames, in his celebrated "Sketches of the Hiſtory of Man," not only inſiſts that the Indians have no beards, but builds on the hypotheſis to prove a local creation. On the evidence of Major Robert Rogers, of Mr James Adair, and his own obſervations, he accounts for the miſtake. The Loretto Indians have beards, in common with all the tribes of ſavages, though they are ſcarcely viſible; for having an averſion to excreſcences, they carefully pluck every hair from the upper jaw and chin with braſs wire, which they twiſt together in the form of pincers; and it is well known that all traders carry out that article of commerce for this expreſs purpoſe. Hiſtorical criticiſm is of all others the moſt uſeful to enlightened nations, and when it is well founded, as in the preſent inſtance, merits the approbation of the friends of ſcience.

In

In the month of October 1783, Mr Long embarked at Quebec for England, and arrived at London, his native city, in November, after an abſence of fifteen years, when it appeared to him like a new world. But his voyages and travels do not end here; for in the month of April 1784, having entered into freſh engagements, he ſet ſail with a cargo of goods for Quebec, at which place he arrived ſafe, and then ſent his merchandiſe, which he ſoon followed, to Montreal, his ancient reſidence. From this period to his final return to London in 1787, his narrative does not abound with material incidents. Reduced to the neceſſity of ſelling his goods by public vendue at Montreal, he wanders from place to place with the Loyaliſts, chiefly officers; is no longer a trader, but acts as an occaſional interpreter to Sir John Johnſon, who was ſent by Lord Dorcheſter to hold a council with the Indians at Niagara. Repeated diſappointments enſued, which ſenſibly affected him, but they ſerved only to increaſe his exertions, and render him more aſſiduous in his endeavours to live; and while he was forming ſchemes for future ſupport, he received a ſupply from a friend, which determined him to leave the country; and we hope that in his native city he has experienced that liberality for which his countrymen, and more particularly the mercantile claſs, are diſtinguiſhed, when induſtrious merit, uncommon hardſhips, and indefatigable aſſiduity, ſeek for that benevolent patronage which want of ſucceſs in commercial adventures obliges thoſe deſerving perſons to ſolicit, whom more fortunate occurrences might have enabled to be the generous benefactors of others.

The copious vocabulary of five Indian languages explained by Engliſh words, annexed to this work, will probably prove very ſerviceable to perſons trading to thoſe parts of North America where they are in uſe, to the new ſettlers in Canada, and to future inveſtigators of the hiſtory and commerce of thoſe remote regions. Upon the whole, we ſincerely wiſh, that the public at large may concur with the ſubſcribers to indemnify the author, in ſome meaſure, for the ſevere trials he has gone through, from his youth upwards, to the time of his writing theſe voyages. *Europ. Mag.*

London.

Religion, &c.

A new literal verſion of the book of Pſalms; with a preface and notes: By the Rev. Stephen Street, M. A. of Queen's College, Oxford, Rector of Teyford in Suſſex. 8vo. 2 vols. 12 s. boards. *White.*

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Anecdotes of the Rt Hon. William Pitt, Earl of Chatham, and of the principal events of his time With his ſpeeches in parliament from the year 1736 to the year 1778. 4to. 2 vols. 1 l. 16 s. boards. *Jordan.*——The outlines of the political life of the late Earl of Chatham are well known. His career, indeed, paſſed in the uſual manner. He entered young into parliament, forced himſelf into notice and conſequence, as an oppoſition man, by his talents and powers of elocution; circumſtances favoured his own acquiſition of miniſterial power; ſucceſs crowned his ſpirited meaſures, and rendered his miniſtry brilliant, to a dangerous extreme; he was ſupplanted when at the pinnacle of his glory by rivals in the ſame line; received his reward; and then ſunk finally under the preſſure of competition, as all have done before him, and as all will do after him.—The following extract gives a pregnant inſtance of the extent

of

of Mr Pitt's miniſterial influence on his ſecond promotion to the adminiſtration in 1757.

" Mr Pitt's firſt propoſition, was the excluſion of Lord Anſon from the cabinet. The Duke of Newcaſtle pleaded earneſtly to have Lord Hardwicke in the cabinet. He ſaid it was the King's requeſt. Mr Pitt conſented, on condition that Sir Robert Henley had the Great Seal: this ſtipulation was deſired by Leiceſter Houſe. Lord Temple to be Privy Seal. Himſelf Secretary of State, as before. The Duke of Newcaſtle offered Lord Temple the Treaſury. Mr Pitt interpoſed, and ſaid, " That could not be; his Grace muſt go there himſelf *. But, if at any time hereafter, he ſhould think proper to retire, Lord Temple ſhould ſucceed him." Having gone on ſome time, in making the arrangements, the Duke ſaid, what ſhall we do with Mr Fox? Mr Pitt replied, " he may have the Pay Office." This was a triumph to Mr Pitt—to put Mr Fox *below* him, and into the office he had left. But it was a triumph too diminutive for the dignity of Mr Pitt's mind. However, he enjoyed it; which ſhews the influence of little paſſions in men of the firſt abilities. Lord Anſon was propoſed for the Admiralty. Mr Pitt declared, that Lord Anſon ſhould never have the correſpondence. The Duke replied, that would be ſuch an alteration of the Board, as could not be made without his Majeſty's conſent. Here the conference broke off. Mr Pitt had an audience of the King. He laid before his Majeſty, the difference between the Duke of Newcaſtle and himſelf, concerning the Admiralty. The King conſented, that the correſpondence with the naval officers, uſually in the Board of Admiralty, ſhould be given to Mr Pitt, and that the Board ſhould only ſign the diſpatches, without being privy to their contents. It was at this audience that the following remarkable words were ſpoken, which Lord Nugent repeated in the Houſe of Commons in the year 1784; Mr Pitt ſaid, " Sire, give me your confidence, and I will deſerve it." The King replied without heſitation, " Deſerve my confidence, and you ſhall have it." Lord Nugent added, " That Mr Pitt at laſt ſo won upon the King, that he was able to turn his very partialities in favour of Germany to the benefit of his country." Lord Anſon took the Admiralty, under Mr Pitt's limitation; and Mr Fox took the Pay office. Mr Legge had the Exchequer. All the arrangements being ſettled, the parties all kiſſed hands in July 1757; and this nation was thereby reſtored to tranquillity and ſatisfaction."

The moſt curious part of this arrangement is the following note reſpecting Mr Pitt's mode of tranſacting buſineſs with the Admiralty Board:

" The rule, or cuſtom is, The Secretary of State ſends all the orders reſpecting the navy, which have been agreed to in the cabinet, to the Admiralty, and the ſecretary to the Board writes thoſe orders again, in the form of inſtructions, from the Admiralty, to the admiral, or captain of the fleet, expedition, &c. for whom they are deſigned: which inſtructions *muſt* be ſigned by *three* of the Board. But during Mr Pitt's adminiſtration, he wrote the inſtructions himſelf, and ſent them to their Lordſhips to be ſigned; always ordering his ſecretary to put a ſheet of white paper over the writing. Thus they were kept in perfect ignorance of what they had ſigned. And the ſecretary and clerks of the Board were all in the ſame ſtate of excluſion."

Leaving the upper Houſe, we ſhall now attend the author into the lower Houſe, to which we all look for the protection of our rights and property:

" Parliament met on the 25th of November 1762. The moſt extraordinary proviſion was made for this event. The Royal Houſehold had been encreaſed beyond all former example. The Lords and Grooms of the Bedchamber were doubled. Penſions were thrown about indiſcriminately. Five and twenty thouſand pounds were iſſued in one day, in bank-notes of one hundred pounds each. The only ſtipulation was, *Give us your vote.* A corruption of ſuch notoriety and extent had never been ſeen before. There is no example, in any age or country, that in any degree approaches to it. The dole was lavish beyond the probability of account, or poſſibility of credit. Mr Fox had the management of the Houſe of Commons, with unlimited powers."

This management is thus deſcribed:

" The management of the Houſe of Com-

mons,

* There were two reaſons for this. The firſt was, the Houſe of Commons had been choſen by Mr Pelham; at whoſe death, his *pocket lift* (as it is called) was given to the Duke of Newcaſtle, and this circumſtance made *another* ſtipulation in the arrangement; which *was*, that the Duke ſhould *transfer his majority* to Mr Pitt. Mr Pitt himſelf deſcribed this fact, on a ſubſequent occaſion, in theſe words, " I borrowed the Duke of Newcaſtle's majority to carry on the public buſineſs."

The other was—Lord Temple would have had his brother Mr George Grenville, for his Chancellor of the Exchequer; and in that caſe what could have been done with Mr Legge? the public would not at that time have approved of any other perſon in that ſituation. Mr Pitt alſo knew, that there had been a *private* underſtanding between the Duke of Newcaſtle and Mr Legge, for ſome time paſt.

mons, as it is called, is a confidential department unknown to the conſtitution. In the public accounts, it is immerſed under the head of ſecret ſervice. It is uſually given to the Secretary of State, when that poſt is filled by a commoner. The buſineſs of the department is to diſtribute, with *art* and *policy*, amongſt the members who have no oſtenſible places, ſums of money for their ſupport during the ſeſſion; beſides contracts, lottery tickets, and other douceurs. It is no uncommon circumſtance at the end of a ſeſſion, for a gentleman to receive five hundred or a thouſand pounds for *his ſervices*."

Once more on this head. "The management of the Houſe of Commons is become ſo perfectly mechanical, that it requires only a ſmall knowledge of the principles of the machine, to be able to transfer the majority at almoſt any time, from the moſt able ſtateſman, to the favourite of the Crown, or the confident of the enemy; who may have no other recommendation, than the ſmiles of the firſt, or the money of the laſt; with the ſame facility, that an India bond, or any other negotiable property, is transferred every day." M.

Miſcellaneous.

Miſcellanies, philoſophical, medical, and moral. Containing, 1. Obſervations on the literature of the primitive Chriſtian writers. 2. Reflections ſuggeſted by the character of Paulus Philus of Cafarea. 3. Hints reſpecting the ſtate and education of the people. 4. Thoughts on the origin of human knowledge, and on the antiquity of the world. 5. Remarks on Profeſſor Meiners's hiſtory of ancient opinion reſpecting the Deity. 6. Account of Dr Ellis's work on the origin of ſacred knowledge. 8vo. 4s. boards. *Nicol.*

——Written by Mr Thomas Chriſtie, author of an account of the French revolution. We give an extract from the third eſſay, reſpecting the ſtate and education of the people. "I am far from aſſenting to their opinion who prefer ſavage life to civilized ſociety; but I will freely own, that I think many things in the latter ſtand in need of reformation. Mankind, in their original independent ſtate, may be compared to a number of packages, ſuppoſe of wool or flax, placed by the ſide of one another, in a merchant's warehouſe, where each is fair and full, and retains his own proper ſize and form. Whereas, in civilized life, their ſtate ſeems to reſemble that of the ſame packages, piled up for conveniency on each other's heads to the ceiling of the warehouſe, where there is a gradual preſſure, beginning at the top, and encreaſing downward to the loweſt ranks, many of which are ſqueezed out of all ſhape, and ſome have their very bowels preſſed out. Such, I fear, is the caſe, more or leſs, in every civilized ſociety in Europe: in this country leſs perhaps than in any other. Ye friends of human kind, ye who can feel another's woe, decide on this queſtion! Do we not bear too hard on the *poor man?* Do we not make his burdens too heavy, and his comforts too few? Are not many of our enjoyments purchaſed by his ſorrows—many of our luxuries procured at the expence of his health, and of his life? But to proceed.

"There is no man," ſays Dr Clarke, "who is not capable of ſome inſtruction, and *who may not be made the better for it.* Perſons of the meaneſt natural capacities may have a mind attentive to inſtruction; may have a love to truth and right; may have great probity, integrity of heart," &c

An obſervation of a ſenſible writer (M. Borde) deſerves particular attention: "If ignorance could refrain from judging and paſſing deciſions, it would be undoubtedly leſs contemptible and leſs dangerous; but unfortunately the human mind cannot be without action: men muſt have opinions good or bad; they muſt have prejudices if they have not knowledge; and ſuperſtition if they have not true religion. I appeal to the hiſtory of all the ſavage nations now on the face of the earth."

M. Borde's obſervations are certainly juſt. The narrow powers of reaſoning, which ignorant perſons uſually poſſeſs, ſerve to miſlead, inſtead of guiding them. They are apt to make improper compariſons between the ſuppoſed happy ſtate of their maſters, and their own hardſhips, poverty, and, as they eſteem it, unhappy fate. They are apt to ſay, what better are they than we; and, on the ground of their repining ideas, to juſtify to their own minds every inſtance of unfaithfulneſs.

It is one of the evils of ignorance, not to be ſenſible of its own defect. You ſhall never perſuade an ignorant ploughman to adopt an improvement in agriculture. You may tell an uninſtructed man of the advantages of inoculating his children; but he will lend a deaf ear to you, and ſay that it is tempting Providence to bring diſeaſes on children in health. Perhaps, ſoon after, that loathſome diſeaſe gets into the family, and you are called to aſſiſt in carrying one of the putrid carcaſſes to the grave. You imagine this will produce conviction. By no means. The blinded parent tells you, "that ſince his child died *in God's way*, he is ſatisfied; but, if he had died by man's hands, he ſhould have been quite miſerable."

The author of "Eſſays on various Subjects, intereſting to Politics and Morality," having obſerved, that the diſcoveries in agriculture, made by men of ſcience are rendered nearly uſeleſs, when not communicated to common huſbandmen, and recommended the compilation of accurate abridgements, containing a plain and eaſy account of them, to be introduced into the ſchools where the children of peaſants

peasants are educated, adds, "Nor let it be regarded as a chimerical scheme, impossible to be executed, to inform the minds of the common people. Experience proves its practicability. A German prince (Ernest the pious Duke of Saxe Gotha) entirely changed the face of his principality not more than a century ago. Truly great by his political virtues, he had his people instructed by compendiums of every kind of useful knowledge, which were put into the hands of the peasants in all country schools." He adds, that though these constitutions do not now exist in their original vigour, yet it is amazing to observe the difference which still subsists between the people of this and the other circles. See the passage in a note to p. 348. of the English version of an excellent German book, *M. Hirzel's Rural Socrates*. By the advice of the rural philosopher, the Swiss peasants were encouraged to attend the meetings of the Physical Society of Zurich. There every one gave an account of his method of husbandry, and received proper advice from the Society. M Hirzel's relation of this is truly interesting, and cannot fail to be very pleasing to every benevolent mind. It shews how much we might do to promote the happiness and the knowledge of our fellow creatures, would we only be at pains enough, would we lay aside pride and vanity, were we capable of feeling for their situation, and of rejoicing in the pleasure of doing good.

"Is there any thing on this side of Heaven," says a benevolent writer, "equal to the gratification of knowing and contemplating the wisdom of God in the wonderful works of the creation? And is this pleasure to be denied to all but a few philosophers and priests, who would become the tools of tyranny, to keep the people in ignorance, and set them on a level with the brutes?"

And M. D'Alembert very properly observes, "Some learned men, it is true, like those Egyptian priests who concealed their trifling mysteries from the rest of the nation, would have all books written solely for their own use, and would take away from the people every spark of light, even in the commonest matters—a light which we surely should not envy them, since they have much need of it, and there is little danger that it will ever be too clear. Doubtless we ought to think more liberally as fellow-citizens, and perhaps men of letters." Unquestionably—the interest of literature depends on the number of its cultivators.

I would beg of those who are extremely afraid of trusting the common people with *any* power of self-direction, to read the history of mankind, and say, whether, by allowing them to follow their own judgement, they could ever have been led into greater errors than they have been by resigning themselves up totally to the direction of designing men, who have rivetted them in the most fatal prejudices, and often hurried them on to sedition, persecution, murder, bloodshed, rapine, and every kind of wickedness and enormity. Upon this foundation, "the ignorance of the people," have been erected all those *permanent* and *stupendous* systems of superstition and tyranny, which in different ages and countries have oppressed and degraded the human race.

We should not be rash in determining, that the Deity never meant the bulk of men to possess any knowledge, because he has placed them in a situation where it is impossible for them to acquire it. We ought to inquire, whether this impossibility results from the appointment of the Deity, or rather from the unreasonable actions of men. In this, as in other matters, God has been pleased to order things so, that much of the happiness of one man shall depend on the conduct of another. While we blame Providence for placing men in such a situation as that they cannot obtain knowledge, it is a fact, that, in many kingdoms of Europe, the poor common people are studiously kept in the darkest ignorance by their tyrannic superiors. Were that time which in Catholic countries is devoted to absurd superstition, employed in instructing the people, ignorance would soon be banished from among them. In Protestant kingdoms, I cannot but regard that as an improper and unreasonable state of police, which constrains the people to incessant labour from Monday morning to Saturday night, without leaving a single spare moment.

For then Sunday will in general, and indeed almost *necessarily*, be employed in amusement, if not in dissipation. Both the mind and body require some relaxation. I know I shall be immediately reminded of the loss of time to our manufacturers which this would occasion; an argument which strikes some people so forcibly, that they are angry that Sunday itself is not employed in labour. But I confess my view of this matter is very different indeed from theirs. I own their plan may enable us to make our buckles and buttons a little better for the money than our neighbours; but, in the mean time what becomes of our *men*, how do we succeed in the formation of *human minds*, the greatest of all manufactures? Is it any compensation to society, to the public weal, to the real interest of a nation, that a great manufacturer has acquired a fortune of 20,000 l. if he has obtained it by degrading and plunging into ignorance and depravity many hundreds of his fellow-creatures? I would ask any sound politician, what effect such systems will *ultimately* produce in a nation? Can one class of mankind be depraved without in time affecting all others? Does not vice, like contagion, silently diffuse itself over all? Are

the proſtitutes of great manufacturing towns reſorted to only by thoſe of their own ſtation? Do they not corrupt our ſervants, both male and female, and through them our ſons and daughters?

But to return: Even under this ſtate of police, ſomething may be done. A part at leaſt of the Sunday may be uſefully employed in inſtructing thoſe who will not go to church, and indeed cannot be expected to go, becauſe they can neither read, write, nor underſtand.

Since theſe remarks were firſt written, a grand and extenſive plan has been ſet on foot in England, by Mr Raikes of Glouceſter, for the education of the common people. It will eaſily be underſtood that I allude to the inſtitution of ſunday-ſchools. It is with infinite ſatisfaction, that I find ſo many eminent and excellent perſons have now engaged in promoting theſe, and that the good effects flowing from them are already beyond all expectation. Excellent Mr Raikes! May thy benevolent example be univerſally followed! Thou haſt raiſed the depreſſed human mind, and given light to thoſe who ſat in darkneſs. The bleſſing of them that were ready to periſh ſhall come upon thee; and the people who were deſtroyed for lack of knowledge ſhall celebrate thy name!"——

"In addition to the ſeveral ſocieties for promoting particular branches of knowledge, I could wiſh to ſee one inſtituted for diffuſing *knowledge in general*, one that ſhould employ itſelf in encouraging modeſt merit, in ſearching after the village Newton, in reſcuing from obſcurity the genius of the cottage, and in calling forth the ſong of the Milton, who would otherwiſe have been mute and inglorious; a ſociety that ſhould cauſe books to be compoſed for the particular purpoſe of inſtructing the unlearned, and that ſhould print and circulate, in different regions, ſuch performances as had a tendency to awaken the love of letters, and promote the improvement of human minds; a ſociety which ſhould receive a certain number of ingenious youths; and, after inſtructing them in the ſciences, ſend them forth, ſome as *miſſionaries*, to put to flight the illuſions of error and ignorance among men; and others to occupy various uſeful ſtations in life, as their talents or ſituation ſhould direct them; and who in return for the advantages of their education, ſhould be required at their diminiſſion only to promiſe, that they would, in their ſeveral ſpheres, exert themſelves to inſpire the love of knowledge into the boſoms of their friends and acquaintance, and all around them: laſtly, a ſociety which ſhould place philoſophy in all the genuine dignity of her character; and which, inſtead of celebrating days in honour of hypocritic ſaints and enthuſiaſtic devotees, ſhould compile a new kind of kalendar, and conſecrate a day to commemorate the birth of Ariſtotle, and of Socrates, of Confucius, Locke, Newton, and ſuch as, like them, have exalted the depreſſed human mind, inſtructed mankind in the uſe of their faculties, vindicated the rights of human nature, and ſupported the cauſe of letters, liberty, and virtue, in various periods of the world.

It is with regret I quit a ſubject, on which ſo much might yet be ſaid. But as I cannot pretend to go beyond a few hints, I ſhall only offer one obſervation more, which is, that

"This matter deſerves the ſerious attention of the friends of liberty in Britain. A general ſpirit of reform now prevades us; and an inclination to enlarge in every ſhape the powers and privileges of the people. But, perhaps, it may be found, that we are beginning at the wrong end of things; and that, before we make the people more powerful, we ſhould endeavour to make them better qualified for it; leſt, by giving them power before they have got wiſdom, we make them more unhappy and more vicious than before."

This laſt hint appears of the utmoſt importance to the ſucceſs of thoſe laudable plans for emancipating mankind from every kind of tyranny, civil, religious, and moral, to which every enlightened citizen and genuine philanthropiſt muſt wiſh ſucceſs. M.

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THE ORIGIN OF PAINTING.

Stanzas from the Epiſtle of Diabutadis to her lover Polemon.

[From POESIES de FONTENELLE.]

BLEST be the day, my Polemon, when late
One evening to my father's houſe you came:
There by his ſide in converſe long we ſat,
Whilſt he approving ſaw our mutual flame.

Yet love, too baſhful for a parent's eye,
Would ſtill repreſs what moſt we long'd to ſpeak;
The dulleſt topics thus compell'd to try,
Slow from our lips the tardy nothings break.

A ſingle lamp, within the chamber plac'd,
Caſt on the level wall a ſteady light,
Where by the ſhade thy mimic features trac'd
I ſaw, and mus'd with rapture on the ſight.

With eager zeal I form'd the fond deſign
That ſought to fix the flattering phantom there,
Arreſt the motion of each fleeting line,
And keep my Polemon for ever near.

From out the fire a pointed brand I drew,
And ſketch'd the ſhadowy counterpart of thee;
Artleſs, imperfect, indiſtinct, 'tis true,
But yet poſſeſſing ſtore of charms for me.

The ſlighteſt ſemblance of the form we love,
Slight though it be, a tranſport can impart,
And in the tedious hours of abſence prove
A grateful cordial to the feeling heart.

Lichfield, April 7. W. G.

EPIGRAM *on the puſillanimous conduct of the French National Troops againſt the Auſtrians at Tournay.*

By JAMES BOSWELL, Eſq;

WHILE *loyal honour* warm'd a Frenchman's breaſt,
The field of battle was a glorious teſt;
Nobly ambitious for his KING to fight,
To die, or conquer, was a *ſoldier's right.*
A ſtrange reverſe the *Democrats* diſplay,
And prove the *Right of Man*—to *run away.*

ANSWER.

Quiſnam igitur Liber, Gallus ſibi qui Imperioſis.

WHEN ſervile honour warm'd a Frenchman's breaſt,
Of courage war was an *uncertain* teſt;
Boldly he fought, but what had he to loſe,
Save chains and ſlavery, want, and wooden ſhoes?
But now his patriot boſom Freedom fires,
Love of exiſtence the bright maid inſpires;
Poſſeſs'd of property and charter'd rights,
He pauſes and he thinks before he fights.
Anxious his life, *thus happier* made, to ſave,
He ruſhes not to an untimely grave;
His power of action o'er each limb he feels,
And ſhews his *freedom* at his *very heels!*

ANGLUS.

HISTORICAL AFFAIRS.

FRANCE.

On March 24. the diſcuſſion on the colonies was reſumed, and after an able ſpeech from M. Vaublanc, the propoſition of M. Genſonne, with ſome amendments, was adopted, and decreed unanimouſly, to the following effect:

"The National Aſſembly recognizes and declares, that the people of colour and the free negroes ought to enjoy the rights of active citizens, in the ſame manner as the whites."

Decrees—

I. Immediately after the publication of this decree, each of the French colonies in the Windward and Leeward Iſlands ſhall proceed to the re-election of colonial aſſemblies and municipalities, according to the forms preſcribed by the decree of March 8. 1790, and the inſtruction of the National Aſſembly of the 28th of the ſame month.

II. The people of colour and the free negroes ſhall enjoy, as well as the white coloniſts, equality of political rights; they ſhall be admitted to vote in all the primary and electoral aſſemblies, and ſhall be eligible to all places, under qualifications preſcribed by the 4th article of the inſtruction of March 28. 1790.

III. Three civil commiſſioners ſhall be appointed for St Domingo, and four for Martinico, Guadaloupe, St Lucie, and Tobago.

IV. Theſe commiſſioners are authoriſed to diſſolve or ſuſpend the preſent colonial aſſemblies, to take all neceſſary meaſures for accelerating the convocation of the primary and electoral aſſemblies, and maintaining in them union, order, and peace; as alſo to pronounce proviſionally, under an appeal to the National aſſembly, on all queſtions that may ariſe on the regularity of convoking or holding the aſſemblies, the form of elections, and the eligibility of citizens.

V. They are alſo authoriſed to take all the information they can obtain with reſpect to the authors of the troubles in St Domingo, to apprehend the guilty and tranſport them to France, to be there tried by virtue of a law to that effect, if neceſſary.

VI. The civil commiſſioners in this caſe are to tranſmit copies of the inquiries they have made, and the information they have received.

VII. The commiſſioners are empowered to call out the public force as often as they ſhall think proper, either for their own protection, or the execution of the orders they have given in virtue of the preceding articles.

VIII. The executive power is charged to ſend a ſufficient military force to the colonies,

nies, conſiſting in a great part, of National guards.

IX. Immediately after their formation and inſtallation, the Colonial Aſſemblies ſhall declare in the name of each colony, their particular wiſh on the conſtitution, the legiſlation, and adminiſtration, that may be moſt conducive to its proſperity, and the happineſs of its inhabitants, on condition of conforming to the general principles which connect the colonies with the mother country, and aſſure the preſervation of their reſpective intereſts, conformable to the tenor of the decree of March 8. 1790, and the inſtruction of the 28th of the ſame month.

X. The Colonial Aſſemblies are authoriſed to nominate repreſentatives to the legiſlative body, according to the proportional number for each colony, to be determined by the National Aſſembly.

XI. The former decrees reſpecting the colonies, ſhall be executed in all points not contrary to the preſent decree.

The commiſſioners mentioned in the above decree are to be nominated by the King.

M. Chappe, a young phyſician, made known to the Aſſembly an invention for rapidly communicating to a diſtance whatever might be of conſequence for quick circulation. So rapid was this correſpondence, that the National Aſſembly might tranſmit its orders to the frontiers of the kingdom, and receive an anſwer, in the courſe of one day's ſitting.

On March 25. M. Pothin was admitted to the bar to explain the principles of his bank, the ſucceſs of which, he ſaid, was ſuch, that before the 16th of April, aſſignats would bear a premium of 2 per cent. He offered aſſignats to the amount of 100,000 livres, as a gift to the nation; and added, that by the 1ſt of June he ſhould be able to bring 100 millions.

The Aſſembly declined accepting the aſſignats, but referred his plan to the committee of finance.

March 29. M. de Noailles's notification of the laſt diſpatches to the Emperor, under the adminiſtration of M. Deleſſart, and the anſwer of Prince Kaunitz, were this day communicated to the Aſſembly.

Theſe diſpatches, in which the King requited the late Emperor to recognize the French nation, and the freedom and legality of his acceptance of the conſtitution, M. de Noailles thought too important to admit of any delay, and preſented them on the very day of the Emperor's death.

On the 10th of March, Prince Kaunitz returned for anſwer, "That the King of Hungary having fully adopted the political ſyſtem of the late Emperor, he would explain himſelf with the frankneſs that became a great power. The King of France complains of the aſſembling troops in Germany. No aſſembling of troops there is known, that ought to be conſidered as an indication of hoſtility. Troops are aſſembled in much greater numbers in France. The King of Hungary, and the Princes of Germany, may perhaps think it proper to aſſemble ſtill greater numbers, to maintain the internal peace of their ſeveral ſtates, diſturbed by the example of the troubles in France, and the criminal machinations of the Jacobin party; but theſe Princes will never conſent to tie up their own hands in this reſpect, which no power has a right to require of them. With reſpect to the engagements and concerts between the court of Vienna and the moſt reſpectable powers in Europe, that court will continue to maintain them, till the French nation, adopting a milder courſe, ſhall repel the inſinuations of a ſanguinary faction, that excites tumults and acts of violence againſt the liberty of the King, and the faith of the treaties; but ſhould the deſign and artifices of that faction prevail, the King of Hungary flatters himſelf that the ſound and principal part of the nation will conſider, as a conſoling proſpect of ſupport, the exiſtence of a concert, the views of which are worthy of its confidence, and the moſt important criſis that has ever affected the common intereſts of Europe."

The miniſter obſerved, that thoſe communications had taken place before he came into office; and that the appeal to the ſound part of the nation, by which undoubtedly was meant the Ariſtocrats, ought to excite as little ſurpriſe, as the concerts of the powers, with which they had been ſo long menaced, ought to excite terror: but he requeſted the Aſſembly to wait in tranquillity for the categorical anſwer which he had demanded of the court of Vienna, and which he expected within a very few days.

April 1. After very warm debates, and hearing the very able report of the committee charged to examine into the conduct of M. de Narbonne, late war miniſter, reſpecting the ſtate of the frontiers of the kingdom, M. de Narbonne was called to the bar, where he made a moſt maſterly defence, corroborating the report of the committee; and after receiving great applauſe, he retired; when it was finally decreed, "That there was no room for any accuſation againſt M. de Narbonne, formerly miniſter of the war department."

The Aſſembly then decreed, "That the King do demand ſuch explanations of the court of Spain as he ſhall judge neceſſary for the dignity and intereſt of the nation; and to require of that court, conformably to treaties in force, firſt, to withdraw from the frontiers thoſe forces which are injurious to the

the confidence which ought to subsist between the two nations; and, secondly, to hold in readiness those succours which France has a right to ask for, in case she is attacked; and, in case the court of Spain shews a desire to maintain that harmony which has so long subsisted between the two countries, that the King be desired to enter into immediate negotiations with that court for that purpose; but, by way of precaution, that the King be requested to have a force upon the frontiers nearest Spain, of equal respectability with that of the Spaniards."

April 2. The diplomatic and marine committees reported, That after the passing of the first concordat between the whites and the people of colour at Port-au-Prince, a troop of revolted negroes, who had been the authors of the insurrection, appeared equally dangerous to both parties, and it was resolved to send them out of the island. They were embarked, the number of 217, on board the ship Emanuel, Captain Colmin, to be landed on some uninhabited spot, with cloathing, provisions, and implements of agriculture. The captain disobeyed his orders, and landed them at a British port, where he attempted to sell them, but, not finding purchasers, set sail and left them. They were supplied with provision, and transported to Jamaica. The governor sent them back to St Domingo, with a letter to M. Blanchlande, complaining of Capt. Colmin's conduct, and demanding payment of the expences incurred by maintaining the Negroes, and returning them. The committees were of opinion, that this demand was well founded; that his Majesty should be invited to order Capt. Colmin to be prosecuted according to law; to disavow his conduct to the British Government; and offer an indemnification for the expence it had occasioned. The Assembly passed a decree to this effect.

The minister for foreign affairs said, he had received a dispatch from Turin, in answer to the demand he had made, in the name of the King, to be informed of the causes of the reinforcement of the troops in Savoy, of the assembling of a body of Austrian troops in the Milanese, and the transportation of a heavy train of artillery into Savoy.

The answer given was, "That the King of Sardinia flatters himself that he has given sufficient proofs of his desire of peace, to expect a return of the same from France.

Although the King of Sardinia ought not to think it necessary to disavow rumours falsely circulated, he declares, nevertheless, that his troops are much below their peace establishment.

The King equally declares, That it is false that he has sent a train of artillery into Savoy; the ordinary number of infantry in garrison there have not all their complement of cannon.

After these candid declarations, his Sardinian Majesty, having ordered nothing injurious to the peace and good neighbourhood which he desires to maintain with the French nation, entreats the King to be convinced of his sentiments, and will consider any suspicion of a rupture as an injury."

April 9. It was almost unanimously decreed, "That all ecclesiastical habits, and those worn by religious, either male or female, or by any community or congregation, be prohibited." This decree was warmly applauded, and several Abbés immediately put their caps in their pockets. The Bishop of Limoges gave up his distinctive mark as Bishop to the National Assembly, and said, when in the exercise of his religious functions, he should wear an ebony cross.

April 10. The Minister of War communicated a letter addressed to the King, from General Luckner, stating, "That ten battalions of the line, eight squadrons, and 300 artillery horses, had been withdrawn from the grand army, without being adequately replaced; that he had not provisions sufficient for three months consumption; that the officers were not provided with camp-equipage, and had not sufficient money to enable them so to do." The minister of War then observed, that every exertion was making on purpose to enable M. Luckner to act conformably to the energy of his wishes, and the high and important station that he filled.

M. Pasloret adverted to the resolution of the British House of Commons for the abolition of the slave trade. He could have wished his country the honour of taking the lead in this business; but although France could not now aspire to the merit of setting the example, it was still in her power to follow it. He therefore moved, That a motion which he now made for the abolition of the Slave trade be referred to the committees of colonies and commerce, with instructions to prepare a plan for effecting it gradually.

M Vaublanc approved of the abolition, but thought France ought to proceed in it precisely in the same mode with other powers. He therefore moved, That the Assembly should adopt the general principle, and in the same terms as voted by the British House of Commons.

M. Pasloret's motion was adopted.

On April 11. the minister for foreign affairs communicated the account given by Lord Gower of the engagement between the Resolu and the Phœnix frigates in the East Indies. "The British ambassador," said he, 'has acted on this occasion with all the openness and candour that becomes the ministers of two free nations amicably disposed towards each other. He has laid before me all the official documents

he has received from his court; I have examined the 26th and 27th articles of the commercial treaty, and I find them conclusive in favour of the British officers. But as there are no dispatches from the officers of the French frigate, the British ambassador himself thinks that we ought to suspend our opinion. It is a melancholy consideration, that in an enlightened age, several individuals of two respectable nations have fallen victims to a misunderstanding. The following is a copy of Lord Gower's official note:

"Lord Gower has the honour to communicate to M. Dumourier the translation of a certain dispatch, containing the particulars of the engagement between the Phœnix and the French frigate *La Resolu*. The first is the copy of a letter from Sir Richard Strachan, Captain of the Phœnix, to Commodore Cornwallis; the other is the testimony of Lieut. Parker, who was sent on board the French frigate. It is easy from this to perceive, that the conduct of the English captain is conformable to treaties, and that this affair ought not to interfere with the harmony that subsists between the two nations.

It appears that his object was to be assured, that the French merchantmen did not contain any military stores, which are regarded by the treaty as contraband, and which are reciprocally prohibited from being furnished to the enemies of the contracting parties.

After receiving notice of this amicable regulation, the French captain hoisted a signal for the merchantmen to make sail, instead of ordering them to come to. He then fired upon the English frigate without waiting for any further explanation. His conduct was reprehensible, more especially as he fired before the return of the lieutenant who had been sent on board of him.

His Britannic Majesty doubts not but the King will issue orders to prevent similar events hereafter, which might trouble that peace and harmony he is ever desirous to maintain."——Referred to the diplomatic committee.

On April 14 the foreign minister read the dispatches which he had sent to Vienna, and the answer, which he had that night received by an extraordinary courier.

The minister, in his letter, takes a view of the different motives which might influence foreign powers to arm against France. Could the affairs of the princes who laid claim to Alsace, &c, be assigned as a motive? It was proposed to adjust it amicably, and this therefore could only be the pretext, and by no means the real cause. Could it be to support the cause of the emigrants? The King had declared against them; it was the King who wished to maintain the new government. Was it the clubs who had formed, or the pamphlets which had been published? In that case, other powers might long since have undertaken a crusade against England.

M. Noailles announces in his answer, that the successor to Leopold, more impetuous and violent than his father, is obstinately bent upon war. After some remarks upon the present conduct of the French, M. Noailles finds fault with the impeachment of M. de Lessart as a matter highly unjust, and concludes by giving in his resignation.

M. Dumourier then read another letter which he addressed to the minister of Hungary and Bohemia; he terminated with saying, that if the expected answer be not categorical, the King will consider himself as in a state of war, and that if troops still continue to be assembled, it will be impossible for him any longer to suppress the indignation of an offended nation. The minister added, that the King had written with his own hand to the King of Hungary. The King of the French, in this letter, informed his nephew, for the last time, that on the event of peace or war might depend the tranquillity of all Europe, and the fate of two great nations; he invites him in the name of glory and humanity not to engage in an unjust war. "I," adds he, "have frequently accepted the constitution; I have sworn to the nation, whose hereditary representative I am, to live or to die in maintaining it.—M. de Molt, my ambassador extraordinary, will afford you every explanation with respect to my final intentions."

M. Britche demanded that a decree of accusation should be pronounced against M. de Noailles, as guilty of high treason, for having left France in a cruel state of suspence, at a period when surrounded by the forces of its enemies. This motion was decreed.

On April 18, the ministers entered, and the minister of justice said, The King and Queen have sent us to announce to the Assembly his Majesty's choice of M. Flurieu as governor of the Prince Royal. I will read the letter written by the King on this occasion to the President.

"I request you, Mr President, to inform the Assembly, that my son having attained the age of seven years, I have nominated M. Flurieu for his governor. His generally known worth and knowledge, as well as his attachment to the constitution, have determined my choice. I shall constantly recommend to him to inspire into the Prince Royal the honour and respect for justice, the love of humanity, and all the virtues that become the King of a free people; to teach him that a King lives only for the good of all; that, called to maintain the execution of the laws, the most powerful means of constraining others to obey them, is his own example. My son, I hope, will one day render himself worthy of the love of the French, by his attachment

tachment to the conſtitution, his reſpect for the laws, and his conſtant application to whatever can add to the proſperity of the kingdom. The National Aſſembly will ſurely ſee from this proceeding, that I eagerly ſeize all occaſions of maintaining the harmony and confidence that ought to ſubſiſt among all the repreſentatives of the nation."

M. Lafource ſaid, the former Aſſembly had been of opinion, that the repreſentatives of the nation ought to have a voice in nominating a governor for their heir to the throne, and had even taken ſteps to that effect. He ſhould not diſcuſs whether the King or the Aſſembly ought to appoint a governor, but only move, that the committees of legiſlation and public inſtruction propoſe a plan for the education of the Prince Royal, in which this queſtion muſt of courſe be diſcuſſed. Ordered.

Again, M. Robert Dubayal deſired to be heard for a motion of order. "We are menaced by an approaching war. The greater part of the Kings of Europe are united againſt us. Their active power is employed at this time in trying to procure forces,—the uſeful alliance of the Engliſh people. There is another nation always generous and faithful to her engagements, I mean the Swiſs, with whom we are threatened to have a rupture. It is important that we ſhould make known to the Helvetic people, that if we ceaſe to be connected with them by treaty, we do not ceaſe to regard them as good neighbours. I deſire that the miniſter for foreign affairs ſhall make known to us the ſtate of the negotiations for the renewal of our treaties with the Swiſs nations."

M. d'Averhoult called for the previous queſtion on this motion, which he ſaid interfered with the reſponſibility of miniſters. They paſſed to the order of the day.

M. Dumourier, the miniſter for foreign affairs, delivered a letter from the King, announcing his intention of viſiting the Aſſembly next day. He then, in the name of the King, notified the diſpatches of M. de Noailles, dated April 5th, in anſwer to thoſe of M. Dumourier, dated March 27th, and which arrived at their deſtination on the 4th April.

"Sir, *Vienna, April 5.*

The inſtant that I received your diſpatch, I addreſſed myſelf to M. le Comte de Commerſon Vice Chancellor of the Empire, as being better diſpoſed towards us than the Prince de Kaunitz. I made known to him that words would no longer do—we muſt have actions. That words would ſerve only to declare their wiſh to prevaricate and to attack us—I preſſed to have a poſitive declaration. I demanded an entire renunciation on the part of the King of Hungary, of all coalition—of all armament againſt France; and I declared to him, that if he did not agree to this, the King would not regard him from the preſent but as in a ſtate of war. In the explanations which I had with M. Commerſon, I underſtood, that they wiſh to propoſe to us things upon which it will be difficult to convince us, without trying the fate of arms. They demand from us,

1. Satisfaction to the Princes, proprietors in Alſace.

2. The reſtitution of Avignon to the Pope.

3. That the internal government of France ſhall be inveſted with ſufficient power, that the other powers ſhould not have apprehenſions of being troubled by France.

M. Commerſon notified to me beſides, that the King of Hungary perſiſts in the anſwer which he made to us on the 18th of March, ſo much the more ſays the King, becauſe I am perfectly agreed in opinion with the King of Pruſſia. I ſhall add, that the envoy of the King of Pruſſia has departed precipitately for Berlin. They have told me, but I do not know certainly, that they have expedited a circular letter to the circles of the empire for their contingents in men and money. I obſerve, that the King of Hungary diſtruſts the King of Pruſſia, who preſſes him eagerly to war. DE NOAILLES."

The Aſſembly applauded this diſpatch, and on the inſtant revoked the decree of accuſation againſt him.

April 20. The hall was much crowded in expectation of the King, who entering preceded by the deputation and the miniſters, mounted the platform, where he was received by the Preſident. The Aſſembly ſtood uncovered; but when the King ſat down, the members took their ſeats. The King then ſaid,

"Gentlemen, I have come among you for an object of the higheſt importance in the preſent circumſtances. My miniſter of foreign affairs will read to you the report which he made to me in my council on our ſituation with regard to Germany."

The miniſter for foreign affairs then went up, and ſtanding by the King's ſide, read the report which the King had notified to the Aſſembly, viz.

"Sire, When you took an oath of fidelity to the conſtitution, you became the object of the hatred of the enemies of liberty. No natural tie could ſtop them, no motive of alliance, of neighbourhood, of propriety, could prevent their enmity. Your ancient allies eraſed your name out of the liſt of deſpots, and from that moment they forgot your Majeſty's fidelity.—The emigrants, rebels to the laws of their country, are gone beyond the frontiers to prepare a guilty aggreſſion againſt France. They wiſh to carry into its boſom fire and ſword. Their rage would have been impotent if the foreign princes had not ſeconded

ſeconded and encouraged their criminal manœuvres. The Houſe of Auſtria has done every thing to encourage their audacity; the Houſe of Auſtria, who, ſince the treaty of 1756, has found us good and faithful allies! This treaty, Sire, ſubjected us to the ambitious views of this Houſe. She engaged us in all her wars, to which ſhe called us as her allies. We have been prodigal of our blood in the cruel tragedies of deſpotiſm. The inſtant that the Houſe of Auſtria ſaw ſhe could no longer govern us for her purpoſes, ſhe became our enemy."

[Here the miniſter ſtated the multiplied outrages which this proud court had committed againſt France—her inſulting diſdain—her intolerable hauteur—and the unbecoming treatment of one of their Envoys, M. Duverrier.]

"He examined the Auſtrian alliance with Pruſſia, againſt whom the French had defended her ſo long at the price of their blood and treaſure.—It was Auſtria that had ſtirred up againſt France the reſtleſs Northern Potentate, whoſe tyrannical frenzy had at laſt made him fall under the ſword of an aſſaſſin.—It was Auſtria who, an office of which Europe ſhall judge, adviſed one party of Frenchmen to take up arms againſt the other. The note of the court of Vienna, of the 18th of February, was in truth a declaration of war. M. Kaunitz there avows the league of the powers againſt France. The death of Leopold ought to have made ſome change in this ambitious ſyſtem, but we have ſeen the contrary.

The note of the 18th of March is the *ultimatum* of the court of Vienna. This note is more provoking ſtill than the former. The King of Hungary wiſhes that we ſhould ſubmit our conſtitution to his reviſion; and he does not diſſemble the project of arming Frenchmen againſt Frenchmen.

Sire," continues the miniſter, "in charging me with the adminiſtration of foreign affairs, you have impoſed on me the telling you the truth: I proceed to tell you the truth. It reſults from this expoſure, that the treaty of 1756 is broken, in fact by the Houſe of Auſtria; that the maintenance of a league of the powers is an act of hoſtility againſt France, and that you ought this inſtant to order M. Noailles, your ambaſſador, to quit the court of Vienna without taking leave.—Sire, the Auſtrian troops are on the march—the camps are marked out—fortreſſes are building—the nation, by its oath on the 14th of July, has declared, that any man who ſhall accede to an unconſtitutional negotiation is a traitor. The delay granted to Auſtria is expired—your honour is attacked—the nation is inſulted.—Therefore, there remains for you no other part to take, but to make to the National Aſſembly the formal propoſition of war againſt the King of Bohemia and Hungary."

The miniſter having read this minute, the King reſumed his ſpeech—

"You have heard, Meſſieurs, the deliberation and the deciſion of my council. *I adopt their determination.* It is conformable to the wiſh, many times expreſſed, of the National Aſſembly, and to that which has been addreſſed to me by many diſtricts of France. It appears to me to be the wiſh of all the French people. Frenchmen prefer war to a ruinous anxiety, and to a humiliating ſtate, which compromiſes our conſtitution, and our dignity. I have done every thing to avert war, but I judge it indiſpenſable. I come, therefore, in the terms of the conſtitution, to propoſe to you, formally, to declare war againſt the King of Bohemia and Hungary."

A burſt of applauſe broke from the galleries. The Aſſembly, bound by a decree not to take any legiſlative part during the preſence of the King, maintained a dignified ſilence.

The Preſident anſwered;

"Sire, The Aſſembly will proceed to deliberate on the great propoſition which your Majeſty has made to them. They will addreſs to you, by a meſſage, the reſult of their deliberation."

The King then retired with his miniſters, and conducted by the ſame deputation of members. The hall rung with the acclamations of the people, and they congratulated each other on the dye being caſt. The Aſſembly adjourned to five in the evening, when they entered upon this important queſtion; and the following is the decree of war againſt the King of Hungary and Bohemia.

"The National Aſſembly, deliberating on the formal propoſition of the King, conſidering that the court of Vienna, in contempt of treaties, has continued to grant an open protection to French rebels; that it has excited and formed a concert with ſeveral powers of Europe againſt the independence and ſecurity of the French nation:

That Francis I. King of Hungary and Bohemia, has, by his notes of the 18th of March, and 7th April laſt, refuſed to renounce this concert;

That notwithſtanding the propoſition made to him by the note of 11th March 1792, to reduce, on both ſides, to a peace eſtabliſhment the troops on the frontiers, he has continued and increaſed the hoſtile preparations:

That he has formally infringed the ſovereignty of the French nation, by declaring that he would ſupport the pretenſions of the German princes, poſſeſſionaries in France, to whom the French nation have continued to offer indemnifications:

That he has attempted to divide the French citizens, and to arm them againſt one another

ther, by holding out ſupport to the malcontents in the concert of powers; conſidering, in fine, that the refuſal of an anſwer to the laſt diſpatches of the King of the French leaves no longer any hope to obtain, by means of amicable negotiation, the redreſs of theſe different grievances, and amounts to a declaration of war, decrees that there exiſts a caſe of urgency.

The National Aſſembly declares, That the French nation, faithful to the principles conſecrated by the conſtitution, "not to undertake any war with the view of making conqueſts, and never to employ its force againſt the liberty of any people," only take up arms in defence of its liberty and its independence: that the war, into which it is compelled to enter, is not a war of nation againſt nation, but the juſt defence of a free people againſt the unjuſt oppreſſion of a monarch: that the French will never confound their brothers with their real enemies: that they will neglect nothing to ſoften the rigours of war, to preſerve property, and prevent it from ſuſtaining any injury, and to bring down upon the heads of thoſe alone who league themſelves againſt liberty, all the evils inſeparable from war:

That it adopts all thoſe foreigners who, abjuring the cauſe of its enemies, ſhall join its ſtandard and conſecrate their efforts to the defence of freedom, that it will even favour, by all the means in its power, their eſtabliſhment in France:

Deliberating on the formal propoſitions of the King, and after having decreed the caſe of urgency, *decree war againſt the King of Hungary and Bohemia.*"

Meſſage of the National Aſſembly to the King, by a deputation of twenty-four members, at eleven at night, April 20. *to preſent the above decree of war for ſanction.*

"Sire, The National Aſſembly have thought it their duty to come to a ſpeedy determination on the propoſition you made to them for declaring war againſt the King of Bohemia and Hungary. They charge us to preſent their decree for your Majeſty's ſanction. It is conformable to the wiſh that you have expreſſed to them. It is the reſult of the lively and conſtant ſolicitude of the elected repreſentatives, and the hereditary repreſentative of the nation, for maintaining its dignity, its liberty, and its conſtitution."

The King's Anſwer.

"I ſhall take the decree of the National Aſſembly into deep conſideration. It involves the moſt important intereſts of the nation."

Next day the miniſter of juſtice informed the Aſſembly that the King had ſanctioned the decree.

East Indies.

Two extraordinary Gazettes have lately been publiſhed; the firſt containing the diſpatches received by the Queen, one of the Company's ſhips, and the Minerva, a Daniſh ſhip; and the ſecond containing thoſe of the Deptford. As there is much repetition in one of theſe Gazettes, we ſhall only give ſuch extracts as may be thought moſt intereſting; and which will, at the ſame time, convey every neceſſary information relative to the preſent war.—The other Gazette ſhall be given more at large.

Letter from Earl Cornwallis to Sir Ch. Oakley, dated, Camp, four miles ſouth of Nundy Durgum, Oct. 19. 1791.

SIR,

I have the pleaſure to inform you, that we laſt night carried by aſſault the ſtrong hill fort of Nundy Durgum, which is a poſt of infinite conſequence, as it will tend to give us quiet poſſeſſion of a large tract of country, and to ſecure very extenſive communications behind us, when we move forward towards Seringapatam.

Although the Killedar refuſed to liſten to any terms that were offered to him, and the garriſon appeared very vigilant during the whole ſiege, they made but a feeble reſiſtance againſt the aſſailants, and our loſs has been inconſiderable. The firſt Killedar and Bukſhey are priſoners; and the ſecond Killedar and a few of the garriſon were killed, but the greateſt part eſcaped by ſcrambling down the rocks on the back of the fort.

Reports of a force in the Baramaul have, for ſome days, made me a little uneaſy about affairs in that quarter; but, from the beſt information I have been able to procure, its number has been greatly exaggerated, and it is by no means of ſufficient ſtrength to occaſion any ſerious inconvenience to us.

The firſt convoy is already come up to the Peddanadurgum paſs, and I am now at liberty to give my whole attention to the protection of the ſecond. I ſhall march to the eaſtward to-morrow, and can move with diſpatch, if it be neceſſary. I am, &c. CORNWALLIS.

The next letter from Earl Cornwallis contains the account of the capture of Nundy Droog: and he concludes his letter as follows:

"A few of our unfortunate countrymen, whom Tippoo has treated in a ſhocking and barbarous manner, and had,

had, in contempt of the treaty, detained in his ſervice by force ſince the concluſion of the laſt war, have lately made their eſcape to Purſeram Bhow's army; and Capt. Little, commanding the Bombay detachment ſerving with that army, has tranſmitted to me a copy of a narrative, [p. 182.] collected from theſe men, of the occurrences that had happened to themſelves, accompanied with liſts of the names, and an account of the fate, as far as they knew and could recollect, of all the other priſoners, and even deſerters, that had remained in Tippoo's hands after the concluſion of the war.

As there is no reaſon to doubt the truth of the information contained in theſe accounts, I have thought it right to incloſe to you a copy of the above-mentioned narrative and liſts, that you may, if you ſhould judge it proper, publiſh them for the purpoſe of relieving the minds of the relations of many of thoſe unhappy men from the ſtate of anxious uncertainty which they muſt have ſuffered for ſeveral years: and I have to add, to many other melancholy circumſtances mentioned in thoſe liſts, that, by the concurrent teſtimony of the inhabitants of Ouſſore, and of the garriſon, which, after evacuating that place, was taken by us in the fort of Rayacotta, two Europeans, who had been confined and obliged to exerciſe mechanical trades for Tippoo's ſervice in that place for five or ſix years, were put to death by his orders in the month of March or April laſt; which information was corroborated by our officers finding in the place which was pointed out by the inhabitants as the grave of the two Europeans, two human ſkeletons, with the heads ſeparated from the bodies, and a few tattered remnants of cloathing, which, from ſome particulars in its make, ſeemed to have belonged to Europeans: there is little doubt, from what we heard, that one of the murdered perſons was named Hamilton, and was ſaid to have been an officer in the navy; but we could not, with any degree of certainty, make out the name of the other ſufferer, although it appeared by ſome papers that Wallis and Saddee, two artificers, had been confined about that time at Ouſſore."

Of the concluding letter from the council of Fort St George the following is the moſt material paſſage; the ſubſtance of the reſt having been given in the ſucceeding Gazette:

"The ſucceſs of the war depending very materially upon an uninterrupted communication between the army and its magazines to the eaſtward, Lord Cornwallis has thought it expedient to reduce the forts occupied by the enemy between Bangalore and Seringapatam. Sevendroog, a fortreſs hitherto deemed impregnable, was an object of the firſt conſideration. It was beſieged and carried by aſſault in the ſpace of a few days, without the loſs, on our ſide, of a ſingle man. Ramgheri, another hill fort, ſurrendered immediately after; and Ottery Droog, the only place of conſequence remaining to the enemy on this ſide Seringapatam, was ſoon after carried by aſſault, in which only two of our men were wounded."

To the Hon. Court of Directors; dated, Camp, near Sevendroog, Dec. 26. 1791.

"Honourable Sirs,

I received accounts a few days after I wrote my laſt letter, dated Oct 24. that the north-eaſt monſoon had broke; and the rains, which were heavier, and of longer duration this ſeaſon in the Carnatic than for many years paſt, having fallen about the ſame time, with little leſs violence, above the Ghauts, the tranſport of the various neceſſary ſtores has been attended with great delay, and many extraordinary difficulties.

I have, however, the ſatisfaction to inform you, that all thoſe obſtacles were overcome by the zeal and exertion of the officers employed with the different convoys; and our preparations are ſo far completed, that I have already been able to commence with ſucceſs upon the execution of the general plan of the campaign.

I had the honour to communicate to you, in my laſt letter, my intentions reſpecting the fortreſs of Sevendroog; and having, upon a conſideration of its numerous garriſon, and the ſhelter which bodies of horſe could receive under its protection, in the rugged and woody tract of country with which it is encircled for ſeveral miles, became daily more convinced, that all the means which it was in my power to adopt would be ineffectual to ſecure ſupplies from the northward to the armies deſtined to inveſt the enemy's capital, unleſs that fort could be reduced, I finally reſolved ſome time ago to make the attempt.

It being neceſſary, in order to enable me to make my previous arrangements,

to

to aſcertain what part of the extenſive rock it would be moſt adviſeable to attack, I took a poſition with the army about half way between Bangalore and Sevendroog, and ſent the chief engineer and other ſkilful officers, under the eſcort of a few battalions, to reconnoitre the place in the moſt minute and deliberate manner.

After I had received their report, I detached Lt-Col. Stuart, on the 11th inſt. with his Majeſty's 52d and 72d regiments, and four native battalions, eight 18 pounders, four 12 pounders, and two ſmall mortars, with directions to attack the place on the north-eaſt ſide, the appearance of which, from the plans and ſketches that had been laid before me, ſeemed to me to be the leaſt diſcouraging; and I ſubſequently added the flank companies of the 71ſt and 76th regiments to Lt-Col. Stuart's corps.

I then eſtabliſhed poſts, compoſed of detachments of our own infantry and the horſe of our allies, at a conſiderable diſtance on our right and left, for preventing the enemy's parties from going round to diſturb the communications behind us during the ſiege; and I afterwards moved on, with the main body of the army, to the neareſt ground to the northward of the fort on which it was poſſible to encamp, and which was not leſs than eight miles diſtant from it, in order to be ready to act according to circumſtances, either in ſupport of the attacking corps, or of any of the other detachments, in caſe the enemy ſhould venture to form a deſign againſt them.

I ſhall neither trouble you with a deſcription of this formidable fortreſs, the lower wall of which embraces, at a conſiderable height on the aſcent, an immenſe mountain, or rather rock, but which actually conſiſts of two diſtinct forts, ſeparated from each other by a deep chaſm acroſs the top of the mountain, and to the weſtern fort there is no acceſs, except by one narrow path that leads to it from the northern ſide; nor ſhall I enter into a detail of the particulars of the ſiege, which, though attended with almoſt incredible labour, in cutting roads and communications, and in dragging the guns up the precipices on which it was neceſſary to conſtruct the batteries, was puſhed on with the utmoſt vigour and expedition; but ſhall content myſelf with mentioning, that having had reaſon, on the 20th inſt. to expect, from the ſhattered appearance of the two walls of the eaſtern fort, that the breaches in them would ſoon be practicable, and it being utterly impoſſible, that troops could find their way among the rocks and precipices to aſcend the face of the hill in the night, I directed that all the batteries ſhould continue to fire inceſſantly during the remainder of that day, and from day-break the following morning, and that Lt-Col. Stuart ſhould immediately make a diſpoſition for aſſaulting the place in the forenoon.

The fire of the artillery had every effect that I could have wiſhed: and Lt-Col. Stuart having made a moſt judicious diſpoſition for the aſſault, the troops mounted the breach of the lower wall, from lodgements that had been made near to it, upon a ſignal which was given, at ten o'clock; and the good order and determined countenance of the European grenadiers and light infantry, who led the aſſault, ſtruck the enemy with ſuch aſtoniſhment, and ſo thoroughly ſtupified them with terror, that, although they were poſted in great numbers, in ſituations from which they might have done much execution before they could have been diſlodged, it ſoon appeared that they were totally incapable of making the leaſt reſiſtance, and by that means the troops, without encountering any other difficulty but that of the ruggedneſs of the paths, and the exceſſive ſteepneſs of the aſcent, not only gained the ſummit of the eaſtern hill, but thoſe of the right diviſion alſo purſued the fugitives to the gates of the weſtern hill, to which the fire of our artillery had not been directed, and there mixed and entered with them. The Pettah, and a chain of ſmall detached forts at a ſhort diſtance from the ſouthern ſide of the hill, being commanded by the upper works, were immediately abandoned upon the appearance of our troops on the ſummit of the mountain.

The garriſon, at the beginning of the ſiege, conſiſted of about 2000 men, from which there had been conſiderable deſertions before the day of the aſſault.

On that occaſion, although I had ſent two battalions early in the morning from the camp of the main army to endeavour to intercept the runaways on the oppoſite ſide of the mountain, by far the greateſt number eſcaped over different parts of the extenſive circuit of the walls, leaving only between two and three hundred

dred killed and wounded, amongſt the former of which was the ſecond Killedar, and the firſt Killedar, and a few of the principal officers priſoners.

On our ſide we were fortunate to a degree which, perhaps, can hardly be paralleled in hiſtory; only ſeventeen men, officers included, were killed or wounded in carrying on the approaches, and in the conſtruction of our batteries, one of which was within 250 yards of the wall; and I had the ſingular gratification to acquire a fortreſs of ineſtimable value to the public intereſts, and which has hitherto been conſidered over all India as impregnable, without having to regret the loſs of a ſingle ſoldier in the aſſault.

Being perſuaded that the garriſons of the neighbouring forts would be impreſſed with great terror by the fall of Sevendroog, I loſt no time to avail myſelf of their conſternation. Capt. Welſh, of the Bengal infantry, who was poſted with three native battalions, and a large body of the Nizam's horſe, at a conſiderable diſtance on the left of the poſition of the army, was accordingly ordered to march with two battalions before daylight, on the morning of the 22d, to the fort of Ramghire, ſituated about thirty miles from Bangalore, on the great road leading from that place, by Anapatam, to Seringapatam; and Lt-Col. Stuart was directed, after leaving the native battalion in Sevendroog, to march with the remainder of the corps under his command, on the morning of the 23d, to inveſt the ſtrong hill-fort of Outradroog, which lies about twelve miles to the north-weſt of Sevendroog.

Although Capt. Welſh was furniſhed with no means whatever to reduce the fort of Ramghire by force, he, by his addreſs and judicious management, not only ſucceeded in alarming the Killedar of that place and his garriſon, and inducing them to capitulate on the forenoon of the 23d, but alſo obtained, in like manner, poſſeſſion of the adjoining fort of Sevenghire, on the morning of the 24th.

At Outradroog we were equally ſucceſsful, and with circumſtances much more brilliant.

The afternoon of the 23d was employed by Lt Col. Stuart, and by the engineers who had accompanied his detachment, in reconnoitring the place; and he reſolved to attack the Pettah on the following morning.

A detachment was accordingly formed for that purpoſe, under the command of Capt. Scott, of the Bengal infantry; and on its march towards the fort, about nine o'clock in the forenoon, it was met by a Bramin, who ſaid that he came out with aſſurances from the garriſon, that, notwithſtanding the reſolution of the Killedar to the contrary, they were determined to ſurrender.

The great ſtrength of the place rendered the overture highly acceptable; and Lt Col. Stuart immediately ſent back the Bramin with offers of advantageous terms, both to the garriſon and the inhabitants, provided they would admit the troops without reſiſtance; and he gave them two hours, from ten o'clock, to conſider, and to come to their final deciſion.

The guns of the fort having, however, continued to fire frequently during that interval, and Lt Col. Stuart having likewiſe ſeen other reaſons to induce him to believe that the offer of ſurrender had been only a feint, in order to gain time on the part of the garriſon, the aſſaulting party was held in readineſs; and no perſon having come out of the fort at the expiration of the two hours, Capt. Scott was ordered to advance, under cover of the fire of ſome ſix pounders, to eſcalade the Pettah, with an additional inſtruction, to make an attempt upon the fort, in caſe evident marks of confuſion or irreſolution ſhould appear amongſt the enemy.

The troops, upon aſcending the ladders, found that the Pettah had been abandoned; but, having diſcovered clear ſigns of conſternation amongſt the enemy upon the walls of the fort, they proceeded with their ladders to aſſault them with an ardour and confidence that the recent ſucceſs at Sevendroog could alone have inſpired, and met with a feebleneſs of reſiſtance which could only be accounted for by the ſtrong impreſſion of terror which the fall of that place had made upon the minds of their adverſaries. Six different high walls of maſonry, upon the aſcent of an hill of an uncommon ſteepneſs, were ſucceſſively and rapidly carried; and nothing could have more ſtrongly marked the panic of the enemy, and our aſtoniſhing good fortune, than that, although their fire during the aſſault was conſiderable, two ſoldiers only belonging to the 72d regiment were

ſlightly

slightly wounded by it. The garrison consisted of about 600 men, near 100 of whom were killed or wounded in the heat of the assault: a number of the remainder perished in attempting to escape over the precipices on the opposite side of the fort; and the first and second Killedars, with a few of the other principal men, fell into our hands unhurt.

At the time that I came to the resolution to attack Sevendroog and the other forts on the roads to Seringapatam, I communicated my intention to the Nizam's son and minister, and to Purseram Bhow, recommending to the former to advance but slowly with his Highness's troops under their command, both for the convenience of subsidence, and on account of the impossibility of their approaching near to this army in the woody country in which I was obliged to encamp; but requesting that Purseram Bhow would lose no time in moving to the situation that I had formerly pointed out as necessary for the purpose of co-operating usefully with us, and particularly at that period, for preventing the communications on the rear of our right flank from being disturbed by the enemy's horse.

Purseram Bhow has been lately much indisposed, which has, to our great inconvenience, retarded the execution of the movement which I pressed him to make; but he is now a little recovered; and though I have not heard from him lately, I have reason to hope that he is at present advancing to take a position between Sera and Shevagunga, according to my request.

Gen. Abercrombie has, in compliance with the instructions that I transmitted to him some time ago, ascended the Pondicherrum Ghaut with the troops under his command; and as I shall be able, in two or three days, to send to Bangalore for the remainder of the heavy artillery and stores that will be wanted for the siege, every thing will be prepared, as far as depends upon me, to enable the whole confederate force to advance towards Seringapatam early in the next month.

My apprehensions for the safety of Coimbatore proved, unluckily by the event, to have been too well founded; for Maj. Cuppage having failed in an attempt to raise the siege, Lieut. Chalmers was obliged to surrender the place, by capitulation, to Kummer ul Dien Khan, after a gallant defence of twenty-eight days.

I have not yet seen a copy of the capitulation, which I conclude Lieut. Chalmers has been prevented from sending to me; but I have understood, from a short letter that he contrived to convey to Maj. Cuppage, that the terms were, that the garrison should retain their baggage and private property, and be allowed to proceed to Madras, on condition of their engaging not to serve against Tippoo during the war.

It appears, however, that not even the present unfavourable aspect of his affairs is sufficient to induce Tippoo to put a restraint upon the natural perfidy of his disposition; for he has violated the capitulation, and has brought up Lieut. Chalmers and all the garrison to Seringapatam, where they are now in confinement.

I have been informed that Kummer ul Dien destroyed the wretched works of Coimbatore, and, according to my expectations, immediately re-ascended the Ghauts with his whole detachment; by which means our troops to the southward will find no difficulty in regaining possession of that country.

Tippoo has lately made another fruitless attempt to open a separate negotiation with the Nizam; but he has made no overture, since the date of my last letter, to treat for a general peace.

You will be informed, by this opportunity, of the distresses which the inhabitants of the northern circars are likely to suffer from an uncommon drought in that quarter; and you will have heard, by the first ship of the season, of the serious apprehensions that were for some time entertained of a great scarcity in Bengal.

Every exertion will be made, by the governments of Bengal and Fort St George, to afford assistance to the circars; and my mind has been relieved from much anxiety by my late advices from Bengal, which say, that although the price of grain will be high in that country, there is now no danger of loss of inhabitants, or of considerable failure of revenue.

I think it proper to acquaint you, that I have granted leave to Maj.-Gen. Musgrave, upon his solicitation, on account of his private affairs, to return to Europe by one of the ships of this season. I have the honour to be, &c.

CORNWALLIS.

WEST INDIES.

Kingſton, March 2. The buſineſs of the Houſe of Aſſembly this day was ſolely confined to the third reading of the conſolidated ſlave bill, which took up nearly the whole day. It contains a number of excellent proviſions not attended to in any former law, and is to be in force until the end of the preſent century.

Proclamation was made in various parts of the town, of an order for all men of colour and negroes to depart the iſland without delay, provided they cannot give proper ſecurity for their good conduct.

ENGLAND.

London, May 4. A letter was yeſterday morning received in town from Sierra Leone, giving an account of the ſafe arrival there of the Company's ſhip Harpy, and other ſhips, which ſailed from England about the beginning of the year, as well as of the fleet from Nova Scotia, with upwards of 1100 free Blacks, all in good health and ſpirits.

About eight o'clock in the evening of Wedneſday, May 9. it was diſcovered that an attempt had been made to ſet the Houſe of Commons on fire. This diſcovery was made by a man who lives under the Houſe, who ſmelling ſomething burning, cauſed a ſearch to be made, when, over a water-cloſet, nearly under the Houſe, they found a hole broken in the ceiling, and a pair of old worſted breeches on fire, between the laths and plaſter of the joiſts, ſtuffed with combuſtible matter. The breeches being made of wool did not blaze, ſo that it is imagined the intention was, that the fire ſhould break out late at night, that the deſtruction of the Houſe might be inevitable. The hole that was made in the ceiling could not be ſeen by the people coming in and out, as it was inſide the caſing that covered the pipes of the water-cloſet. But, providentially, before the laths caught fire, the diſcovery was made, or in all probability both Houſes of Parliament, with the whole of Weſtminſter hall, the Court of Requeſts, and all the adjacent buildings, would have fallen victims to the flames, which, from the quantity and dryneſs of the timber in this ancient and magnificent ſtructure, would have been extremely rapid.

Nottingham, May 12. A riot commenced here, on account of the high price of butchers meat. A large body of the lower claſs of people aſſembled in the market place, and, after manifeſting ſymptoms of riot, by loud huzzas and much diſturbance, entered the ſhambles, which, in a ſhort time, they cleared of all the meat, as well as all the utenſils belonging to the butchers; and as ſome of them were ſo improvident as to leave their books behind them, thoſe generally went to wreck in the confuſion. The doors, ſhutters, fire places, &c. were alſo broken down, and the broken wood collected to make a fire in the market-place; but the mayor, calling in the military (ſome troops of the 6th regiment of dragoons lying at this time in the town), and prudently addreſſing the mob, he prevailed upon them to depart, having firſt aſſured them, that, if they ſtill perſiſted, he would make uſe of the power which the law had entruſted to him.

Some pieces were fired by the ſoldiers; but we do not hear of any perſon being wounded.

On Sunday morning a great number of people aſſembled again, and ſeemed to threaten a further riot: the mayor himſelf went among them, endeavouring to diſſuade them from any more diſorders: and one or two butchers ſetting up a ſtall in the market place, and offering their meat at reduced prices, the peace of the town was reſtored.

On Monday afternoon the people aſſembled again, and their threats ſeemed chiefly directed againſt the maſter ſhoemakers; it being confidently aſſerted here, that mens ſhoes are ſold at 2 s. a pair leſs at ſome other places than at Nottingham, and womens in proportion. However, through the vigilance of the magiſtrates, aſſiſted by the military, the mob were diſperſed, without any material damage.

Birmingham, May 20. Some weeks ago, a private of the Blues went to a houſe of ill fame in this town, when ſome miſunderſtanding taking place, one Buſby ſtruck the unfortunate ſoldier ſo violent a blow on the head with a glaſs bottle, that, being moved to Coventry, he languiſhed for a few days, and then died. A coroner's inqueſt was taken, who gave a verdict, that he died of a blow received from Buſby. The coroner's warrant came to Birmingham; and Buſby, together with ſome others preſent at the unfortunate

fortunate conflict, were brought before the magiſtrates on Thurſday, when Buſby was committed. This circumſtance being *fully* communicated to the lower orders of the people by thoſe uſeful men called *Walking Stationers*, a certain number, it ſeems, were determined to take ample vengeance on every houſe of that deſcription in the town. They did ſome little damage to two houſes on Friday night, and on Saturday night broke the windows, and did ſome other damage to another houſe of the ſame deſcription in Fleet-ſtreet, but were diſperſed by the military. On Sunday morning at ten o'clock, one of the conſtables went to Fleet-ſtreet, where the mob were aſſembled, and had entirely gutted one houſe, and were in the act of demoliſhing the windows of another. Dreading further conſequences, the magiſtrates were ſent for, who arrived in town at ſeven o'clock in the evening; at eight, accompanied by Lord Valentia, ſeveral gentlemen in the neighbourhood, and the peace officers, they went to Fleet ſtreet, where two houſes were gutted—ſome of the furniture had been thrown into the canal, but the greateſt part was deſtroyed. Having perſuaded the mob to diſperſe, the ſame gentlemen, accompanied by a party of Blues, went into Stafford ſtreet, where they found a vaſt concourſe of people, and one houſe entirely pillaged. Here the riot-act was read, and the people perſuaded to diſperſe. The magiſtrates returned to the hotel, where they had ſcarcely arrived when their aſſiſtance was required in Park-ſtreet; but before they got there the mob had completely gutted a houſe and deſtroyed the furniture. It was with difficulty they here diſperſed the mob, who threatened aloud to deſtroy every houſe of ill-fame in the town. On Monday the rioters demoliſhed another houſe in Park-ſtreet, and gutted two others in Bear-yard. The other magiſtrates came to town in the afternoon, and an expreſs had been previouſly ſent for three additional troops of the Blues. About ſix in the evening the magiſtrates read the riot act in moſt of the principal ſtreets, and warned the inhabitants to keep within their reſpective habitations, as, in one hour after they retired, the military would be diſpatched to clear all the ſtreets in the town.

About nine at night, the Blues, being reinforced with two troops from Kidderminſter, and one from Broomſgrove, after having been inſulted with ſtones and brick-bats at the door of the hotel, were diſpatched in every direction, with expreſs orders to clear all the ſtreets. They purſued the fugitives in full ſpeed through all the narrow avenues, and took many priſoners, whom they lodged in the dungeon, which had been previouſly guarded by a party of ſoldiers. This had the deſired effect; for, before ten o'clock the ſtreets were perfectly cleared, and peace and tranquillity prevailed. Many were wounded; but it does not appear that any one was killed.

Mrs Briely, who kept the houſe at Birmingham in which the Oxford Blue received the wound which was the cauſe of his death, together with Buſby and two others, are committed for trial.

By the King. A PROCLAMATION.

GEORGE R. Whereas divers wicked and ſeditious writings have been printed, publiſhed, and induſtriouſly diſperſed, tending to excite tumult and diſorder, by endeavouring to raiſe groundleſs jealouſies and diſcontents in the minds of our faithful and loving ſubjects, reſpecting the laws and happy conſtitution of government, civil and religious, eſtabliſhed in this kingdom; and endeavouring to vilify and bring into contempt the wiſe and wholeſome proviſions made at the time of the glorious Revolution, and ſince ſtrengthened and confirmed by ſubſequent laws, for the preſervation and ſecurity of the rights and liberties of our faithful and loving ſubjects: And whereas divers writings have alſo been printed, publiſhed, and induſtriouſly diſperſed, recommending the ſaid wicked and ſeditious publications to the attention of all our faithful and loving ſubjects: And whereas we have alſo reaſon to believe that correſpondences have been entered into with ſundry perſons in foreign parts, with a view to forward the criminal and wicked purpoſes above mentioned: And whereas the wealth, happineſs, and proſperity of this kingdom do, under Divine Providence, chiefly depend upon a due ſubmiſſion to the laws, a juſt confidence in the integrity and wiſdom of Parliament, and a continuance of that zealous attachment to the government and conſtitution of the kingdom which has ever prevailed in the minds of the people thereof: And whereas there is nothing which we ſo earneſtly deſire, as to ſecure the public peace and proſperity, and to preſerve to all our loving

ſubjects the full enjoyment of their rights and liberties, both religious and civil: We therefore being reſolved, as far as in us lies, to repreſs the wicked and ſeditious practices aforeſaid, and to deter all perſons from following ſo pernicious an example, have thought fit, by the advice of our privy council, to iſſue this our Royal Proclamation, ſolemnly warning all our loving ſubjects, as they tender their own happineſs, and that of their poſterity, to guard againſt all ſuch attempts which aim at the ſubverſion of all regular government within this kingdom, and which are inconſiſtent with the peace and order of ſociety; and earneſtly exhorting them at all times, and to the utmoſt of their power, to avoid and diſcourage all proceedings tending to produce riots and tumults: And we do ſtrictly charge and command all our magiſtrates in and throughout our kingdom of Great Britain, that they do make diligent enquiry in order to diſcover the authors and printers of ſuch wicked and ſeditious writings as aforeſaid; and all others who ſhall diſperſe the ſame: and we do further charge and command all our Sheriffs, Juſtices of the Peace, chief Magiſtrates in our cities, boroughs, and corporations, and all other our officers and magiſtrates throughout our kingdom of Great Britain, that they do, in their ſeveral and reſpective ſtations, take the moſt immediate and effectual care to ſuppreſs and prevent all riots, tumults, and other diſorders, which may be attempted to be raiſed or made by any perſon or perſons, which, on whatever pretext they may be grounded, are not only contrary to law, but dangerous to the moſt important intereſts of this kingdom: And we do further require and command all and every our magiſtrates aforeſaid, that they do, from time to time, tranſmit to one of our principal ſecretaries of ſtate, due and full information of ſuch perſons as ſhall be found offending as aforeſaid, or in any degree aiding or abetting therein; it being our determination, for the preſervation of the peace and happineſs of our faithful and loving ſubjects, to carry the laws vigorouſly into execution againſt ſuch offenders as aforeſaid.

Given at our Court at the Queen's Houſe, May 21. 1792, in the 32d year of our reign.

Some new arrangements are to be carried into execution with reſpect to the penny poſt. In the plan about to be adopted, public convenience, rather than an increaſe of revenue, is the principal conſideration. The number of deliveries per day, in town, is to be increaſed from two to ſeven; in the country from one to three; and the carriers employed in diſtributing the letters are to be 160 inſtead of 80, with an increaſe of ſalary ſufficient to make them attentive to their duty. There are to be two general offices, the one in Abchurch-lane, the other in Coventry ſtreet, and numerous receiving-houſes in eligible ſituations.

SCOTLAND.

On May 11. no leſs than ten common proſtitutes, who had been taken off the ſtreets at midnight, were brought before the magiſtrates of Edinburgh. They had all been engaged in riots, for which they were ſentenced to be confined in the correction houſe. Confinement in this houſe is a ſpecies of puniſhment againſt which theſe unhappy creatures bear a rooted antipathy, although there is no corporal chaſtiſement inflicted, but only they are obliged to work at ſome eaſy employment, which to them ſeems an unſufferable hardſhip. The numbers that are daily ſent there would ſoon overſtock the houſe, were it not that the magiſtrates are induced, partly from expectation of their better behaviour, but more eſpecially from want of room to contain them, to liberate a few at times. To rid the city of a part of theſe unfortunate females, and, if poſſible, to introduce them again into the world with minds fitted for honeſt induſtry, one of the magiſtrates, two years ſince, ordered all thoſe who were in confinement to be brought to the council chamber, and, after a wholeſome admonition, and it being then harveſt, he gave each of them a ſhilling and a ſickle, and liberated the whole, about thirty, upon their *faithful* promiſe, that they would apply to work at the harveſt. Such, however, was the reſult, that in three days the greater part of them were apprehended for ſimilar offences with thoſe for which they had been formerly committed.

The London Gazette of May 15. contains notice, ſigned by the Rt Hon. Henry Dundas, mentioning, That ſeveral incendiary letters, threatening the lives and property of the Provoſt, and ſeveral of the magiſtrates and counſellors of Lanerk, have been dropt in the ſtreets; that a valuable orchard belonging to the

Provoſt

Provoſt has been totally deſtroyed; and that one or two guns, or piſtols, loaded with balls, were fired into the room where he was ſitting, and paſſed very near him. His Majeſty's pardon is promiſed to any one of the perſons concerned, who ſhall diſcover his or her accomplices in theſe outrages.

Glaſgow, May 18. This day being appointed for laying the foundation ſtone of the Glaſgow Infirmary—at noon the Lord Provoſt, magiſtrates, and council, preceded by their proper officers—the principal and profeſſors of the univerſity, in their gowns, with their mace carried before them—the faculty of phyſicians and ſurgeons—the dean of guild and council of the merchants houſe—the deacon convener and trades houſe—the maſon lodges of this city—aſſembled in St Andrew's church, where an excellent ſermon was preached by Mr Taylor of St Enoch's. Immediately after divine ſervice they proceeded three and three in a rank, along the Saltmarket ſtreet and High-ſtreet, the band of muſic playing the King's anthem. When the proceſſion approached the Caſtle, it moved in the ſtreet to the right, towards the entry to the church, and along the ſide of the wall to the eaſt end of the ground prepared for the foundation of the building. The proceſſion having arrived at the Caſtle, the band of muſic then played, "*Come let us prepare.*"

When the Lord Provoſt and magiſtrates arrived at the ſpot where the ſtone was to be laid, the whole proceſſion ſtopped and preſerved their ranks; and then the Lord Provoſt, aſſiſted by the maſters and wardens of the ſeveral lodges, who left their places for that purpoſe, (the reſt of the proceſſion keeping their ſtations), together with James Adam, Eſq; Architect, and Meſſ. Morriſon and Burns, the contractors, proceeded to place the inſcription, coins, writings, &c. in the ſtone, according to the ceremonies of maſonry.

When this was finiſhed, the maſters and wardens of the ſeveral lodges returned to their places, and the band of muſic ſtruck up, "*On, on, my dear Brethren.*"

Then the Lord Provoſt, &c. paſſed along the ground prepared for the foundation to the ſtreet on the weſt, and the proceſſion returned down the high ſtreet, the whole orders paſſing by the foundation ſtone.

In deſcending the ſtreet, the ſeveral bodies retired from the proceſſion at ſuch places as they found moſt convenient.

The whole company were dreſſed in black, and made a very fine appearance.

The following is the inſcription:

Annuente Deo, Opt. Max.
Regnante GEORGIO III. Principe Munificentiſſimo,
Harum Ædium,
AD MORBOS PAUPERUM SANANDOS,
A Civibus hujuſce Urbis,
Aliiſque piis Scotiæ incolis,
Pecuniis ſponte collatis,
EXTRUENDARUM,
Primum hunc lapidem
POSUIT
JACOBUS M'DOWAL, Armiger,
URBIS GLASGUENSIS
Præfectus,
Adminiſtratorumque operis perficiendi
Præſes:
XV Kal. Junii,
Anno Æræ Chriſtianæ M,DCC,XCII.
Architectis ROBERTO et JACOBO ADAM,
Q. F. F. Q. S.

The General Aſſembly of the Church of Scotland met at Edinburgh on Thurſday, May 17. After a ſermon in the High Church by Dr Robert Small of Dundee, Moderator of the laſt Aſſembly, the Right Hon. the Earl of Leven his Majeſty's High Commiſſioner, and the members of the Aſſembly, repaired to the Aſſembly room, and elected Dr Andrew Hunter, Profeſſor of Divinity in the univerſity of Edinburgh, to be their moderator. His Grace preſented his Majeſty's commiſſion, appointing him to repreſent his perſon in the Aſſembly, alſo his letter and warrant for the Royal bounty of 1000l. His Grace then addreſſed the Aſſembly in an elegant ſpeech from the throne, to which a ſuitable anſwer was returned by the Moderator. A committee was then appointed to draw up an anſwer to his Majeſty's moſt gracious letter.

MARRIAGES.

April 30 At Edinburgh, William Menzies, Eſq; of Menziesfield, to Miſs Eliſabeth Cheape, daughter of William Cheape, Eſq; of Prieſton.

30. At Dumfries, Mr James Milligan, merchant in Glaſgow, to Miſs Mary Jackſon, daughter of Mr Robert Jackſon, printer.

May 2. At London, Lord Audley, to Mrs Moorhouſe, widow of Col. Moorhouſe, who was killed in the Eaſt Indies in the aſſault of the

the Pettah of Bangalore on March 7. 1791. [vol. 53. p. 457.]

8. At Edinburgh, Capt. John Lockhart Naſmith, of the navy, to Miſs Magdalen Moncrieffe, daughter of the late Mr Matthew Moncrieffe of Culforgie.

11. At London, by ſpecial licence, the Hon. John Thomas Capel, ſecond ſon of the Earl of Eſſex, to Lady Caroline Paget, eldeſt daughter of the Earl of Uxbridge.

15. At London, by ſpecial licence, Laurence Palk, M. P. for Aſhburton, and only ſon of Sir Robert Palk, Bt, to Lady Eliſabeth Vaughan, eldeſt daughter of the Earl of Lifburne.

Dreſden, May 16. On Wedneſday the 9th inſtant, the Princeſs of Parma, conſort of Prince Maximilian, arrived in this city; and the benediction of the nuptials, celebrated by proxy at Parma, took place the ſame evening in the private chapel of the court, in preſence of the Electoral family. *Lond. Gaz.*

BIRTHS.

Oct. 19. 1791. At Madras, the lady of John Erſkine, Eſq; of a daughter.

Lately in India, the lady of Capt. Blair, of a ſon.

In India, the lady of Samuel Charteris, Eſq; of a ſon.

April 23. 1792. At Dublin, her Excellency the Counteſs of Weſtmoreland, of a ſon, who died ſhortly after.

May 1. At Fintray houſe, Lady Forbes of Craigievar, of a daughter.

Naples, May 5. On Wedneſday evening laſt, the Queen of Naples was ſafely delivered of a Prince, who was immediately chriſtened. The two firſt names given to his Royal Highneſs were Albert and Gaetano. *Lond. Gaz.*

5. At Banff, Mrs Hay of Mountblairy, of a ſon.

5. At Edinburgh, Mrs Junor of Grenada, of a ſon.

16. At Hampſtead Heath, near London, Mrs Catharine Ogilvie, wife of George Clerk Ogilvie, Eſq; of Jamaica, of a ſon.

22. Lady Sherrard, of a daughter.

22. At Penrith, the lady of John Sinclair, Eſq; of Barrack, of a daughter.

Lately, the wife of Mr Wilſon, tide-waiter at Chatham, of three female children, who, with the mother, are likely to live.

DEATHS.

Oct. 29. 1791. At Madras, Hugh Maxwell, Eſq; a member of the board of revenue.

Nov. At Calcutta, John Gregory, Eſq; many years an eminent merchant in Bengal.

18. At Canton, —— Cheape, a writer on that eſtabliſhment, and brother to J. Cheap, Eſq;

Lately, in India, in the grand army, Capt. James Smith, of the Bengal artillery.

At Prince of Wales's iſland, Lieut. W. Mylne, of the artillery.

At Chunar, Mr George Mylne, aſſiſtant ſurgeon.

At Madras, Lieut. G. Whiteford.

At Bombay, Mrs Page, lady of W. Page, Eſq; ſecretary to the Bombay government.

At Bangalore, Lt-Col. John Grattan, Quarter Maſter General to his Majeſty's forces in India.

Feb. 7. 1792. At Savanna la-Mar, Jamaica, aged 120 years, Flora Gale, a free black woman. She retained her faculties till within a few months, and could walk within three days of her death; there was not a houſe in that town when ſhe came to the pariſh. She had a perfect recollection of the earthquake in 1692, which proved ſo fatal to Port Royal. She has a numerous progeny of children, grandchildren, and great grandchildren. It is remarkable, that ſhe never would be baptized, and the reaſon always aſſigned was, that there might be a play at her burial.

12. At Spaniſh Town, Jamaica, Thomas Harriſon, Eſq; formerly his Majeſty's Attorney and Advocate General for that iſland. He was the ſon of Sir Thomas Harriſon, formerly Chamberlain of the city of London, and receiver-general of the land-tax.

24. At Holland eſtate, in St Eliſabeth's, Jamaica, Capt. Kenneth Mackenzie, of 62d foot.

Mar. 1. In Weſtmoreland, Jamaica, aged 67, the Hon. John Cope, *cuſtos rotulorum* of that pariſh, which he repreſented in ſeveral ſucceſſive aſſemblies, and one of the judges of the ſupreme court.

April 9. At Bath, aged 70, Colonel Beverly Robinſon. He was born in Virginia, and poſſeſſed, before the American revolution, a large eſtate in the province of New York, which, by his judicious improvements, was annually increaſing in value. During the unhappy conteſt he was a firm loyaliſt. He raiſed a regiment from among his own tenants, to aſſiſt the cauſe of Britain; to which his five gallant ſons likewiſe gave their aid. The event was for him unfortunate: his eſtate was confiſcated, and a rich inheritance for ever loſt to his family. The compenſation paid to him by this country was very inadequate to his loſſes, his ſervices, and his merit. Col. Robinſon was great nephew of John Robinſon, Biſhop of Briſtol, tranſlated to London, and Lord Privy Seal in the reign of Queen Anne.

At Jura, one of the Hebrides, aged 98, Donald M'Crain; and two days after, aged 108, Catharine Lindſay, his wife. —— Theſe two remarkable people were ſtout and active till a ſhort time preceding their death. The woman, to the aſtoniſhment of all the country, gained her harveſt-fee in the years 1788 and 1789.

21. At Canterbury, in his 73d year, Thomas

mas Woolley Pickering, Esq; one of the oldest lieutenants in the navy, having been promoted to that rank in 1740.

26. Aged 68, Mrs Elisabeth Reid, spouse to Dr Reid, of Glasgow college.

28. At his prebendal house in the college, Durham, in his 69th year, the Rev. John Sharp, D. D. archdeacon of Northumberland, and, in right of that place, rector of Hexham, prebendary of Durham, and vicar of Hartburn.

Lately, on board a ship in which he had gone from Jamaica for the recovery of his health, William Cunningham, Esq; of Craigends, captain in 62d foot.

In the north of England, on a journey for the recovery of her health, Miss Jane Duff, daughter of the Hon. George Duff.

At Boston, county of Lincoln, where she had resided a number of years, aged 103, Mrs Lowdisdon. She was a native of one of the Orkney islands, and had had a constant state of good health till within a few days of her death.

May 2. At Dumfries, Mrs Elisabeth Maclurg, spouse to Mr Wylie of Corsock.

3. At Edinburgh, the Rev. Mr John Scotland, minister of the New Grayfriars church.

6. At Culross, the Rev. Mr David Hunter, minister of Saline, in the 95th year of his age, and 61st of his ministry.

7. At Buittle, the Rev. Mr John Macnaught, minister of that parish.

10. At Nice, Capt. Stuart Campbell.

11. Mr William Maccartney of Knockshinnoch, landsurveyor.

12. At Dunfermline, John Wilson, Esq; Provost of that burgh.

12. At London, the infant-son of Lord Stopford.

14. At Hamilton, Charles Bogle, Esq;

Vienna, May 16 Her Imperial Majesty the Empress Dowager of Germany, whose health had long been declining, died yesterday, between twelve and one o'clock at noon. *Lond. Gaz.*

16. At Edinburgh, Miss Lindesay, daughter of Capt. Martin Eccles Lindesay.

17. At Bath, Sir Noah Thomas, Kt, F. R. S. one of his Majesty's physicians in ordinary.

17. At Kinsale, the Hon and Rev. Gerald de Courcy, brother to Lord Kinsale.

21. At Fortrose, in his 86th year, Sir Alexander Mackenzie of Coul, Bt.

21. At Pontefract, in her 100dth year, Mrs Mawhood, mother to the late Col. Mawhood, of 17th foot.

22. At London, Dr Robert Knox, many years inspector general of the army.

23. At Scotstown, Mr Alexander Mackay, second son of Eneas Mackay of Scotstown, Esq;

23. At Olivebank, James Baillie, Esq; of Olivebank.

23. At Leith, Mrs Catharine Muir, wife of Mr James Rannie, wine merchant.

24. In his 74th year, the Rt Hon. George Bridges Rodney, Lord Rodney, Baron Rodney, of Rodney Stoke, Somersetshire, Bt, and K. B. an admiral of the White, and Vice-Admiral of England. His Lordship is succeeded by his eldest son, the Hon. George Rodney, who married, April 10. 1781, Martha, daughter of the Rt Hon. Alderman Harley, and has issue.

27. At Edinburgh, Mrs Margaret Edgar, widow of Dr William Hunter of Linthill.

Lately, at Worcester, Lt-Col. Rait, of the Queen's regiment of dragoons.

At Crumlin, the Hon. Lady Frances Holt, youngest daughter of the late, and sister to the present Earl of Auldborough.

At Long island, the Hon. George Mackenzie, member of his Majesty's council for the Bahama islands.

Preferments.

From the London Gazette.

The King has been pleased,

Whitehall, May 1. to recommend to the dean and chapter of the cathedral church of St Paul, London, the Rev Thomas Jackson, Doctor in Divinity, to be by them elected into the place of Canon Residentiary of the said cathedral church, the same being void by the death of the Rt Rev. Dr Christopher Wilson, Bishop of Bristol.

5 to recommend to the dean and chapter of the cathedral church of Bristol the Rev. Spencer Madan, Doctor in Divinity, to be by them elected Bishop of Bristol, that see being void by the death of the Rt Rev. Dr Christopher Wilson, late Bishop thereof.

to appoint the Earl of Leven to be High Commissioner to the General Assembly of the Church of Scotland.

12. to appoint the Rt Hon. Lord Robert Stephen Fitzgerald to be Minister Plenipotentiary to the Swiss Cantons.

15. to grant the dignities of Viscount and Earl of the kingdom of Great Britain to the Rt Hon. Joseph Lord Milton, and the heirs-male of his body lawfully begotten, by the name, style, and title of Viscount Milton, of Milton Abbey, and Earl of Dorchester, both in the county of Dorset.

22. to appoint the Rt Hon. Lord Macartney to be Ambassador Extraordinary and Plenipotentiary to the Emperor of China.

also to appoint Sir George Leonard Staunton, Bt, to be Secretary of Embassy to the Emperor of China.

26. to appoint Sir Lucas Pepys, Bt, to be Physician in Ordinary, in the room of Sir Noah Thomas, Kt, lately deceased.

St James's, May 2. This day the Rt Hon. George Lord Macartney was sworn of the Privy Council.

Office

Office of Ordnance, May 2.

Corps of royal engineers: Capt. Robert Pringle to be Lieutenant-Colonel, vice Andrew Fraſer. Capt.-Lieut. Benjamin Fiſher to be Captain, vice Pringle.

War-office, May 5.

Royal regiment of horſe guards: Rowland Park to be Quartermaſter, by purchaſe, vice Francis Thompſon, who retires.

War office, May 12.

11th light dragoons: Capt. John Carnegie to be Major, by purchaſe, vice Frank Moore, who retires.

War office, May 19.

3d foot-guards: Capt. William Douglas Maclean Clephane, to be Captain of a company, by purchaſe, vice Charles Naſſau Thomas, who retires.

From other Papers.

May 10. Mr John Morton was ordained miniſter of Borrowſtounneſs, in the room of the Rev. Mr Baillie, deceaſed.

10. The Rev. Mr Henry David Hill was admitted miniſter of North Berwick, in the room of the Rev. Mr Murray, deceaſed.

12. Upon the meeting of the Court of Seſſion, Mr George Jeffrey was admitted one of the Depute-Clerks of ſeſſion, upon the reſignation of John Callender, Eſq;

The univerſity of Edinburgh have conferred the degree of Doctor of Laws on the Hon. John Jay, formerly preſident of congreſs, now chief juſtice of the ſupreme court throughout all America; the Hon. James Duane, formerly a member of Congreſs, now one of the judges in ſaid ſupreme court; and Richard Harriſon, Eſq; counſellor at law in the ſtate of New York.

14. The univerſity of Glaſgow conferred the degree of Doctor in Divinity on the Rev. Mr Burnſide at Dumfries.

BANKRUPTS.

May 10. Robert Innes, farmer and cattle-dealer in Cotts of Longbride.

11. John Roger, merchant and ſoap-boiler in Fither row.

11. Hugh Mackenzie, hoſier in Edinburgh.

16. William Blair, ſometime merchant at Dykehead of Cardroſs, afterwards at Buckhvie.

17. Joſeph Jackſon, in Harelaw Mill, in the county of Dumfries.

17. Robert Bagnell and Company, manufacturers of ſtone-ware at Weſtpans; and Robert Bagnell as an individual.

19 Alexander Beaton, merchant in Inverneſs.

22. Robert Hutchieſon, butcher in Leith.

23. John Wilſon, merchant in Dundee.

26. John Brown, merchant in Dundee.

26. James Gould, merchant in Crieff.

26. John Johnſton, merchant in Dumfries.

26. Duncan Maclaren, merchant in Glaſgow.

Prices of Grain at Haddington, May 25.

Wheat 19s. Barley, 18s. Oats, 13s. 6d. Peaſe, 12s. 6d. Beans, 12s.

Edinburgh, May 29. Oat-meal, 1s. Bear meal, 10d. Peaſe-meal, 9d.

Edinburgh Bill of Burials for May.

Burial places.	*Males.*	*Females.*	*Total.*
Grayfriars and Lady Yeſter's,	27	29	56
Weſt-kirk, -	30	17	47
Canongate, . -	14	6	20
Calton, - -	23	21	44
Total,	94	73	167

Age.			Diſeaſes, &c.	No
Under	2	46	Aged — —	12
Between 2 &	5	14	Aſthma — — —	5
5 &	10	10	Accident — —	1
10 &	20	9	Bowelhive — —	20
20 &	30	12	Childbed — —	2
30 &	40	11	Chincough — —	8
40 &	50	16	Conſumption —	55
50 &	60	18	Convulſions — —	1
60 &	70	16	Croop — — —	2
70 &	80	12	Dropſy — — —	2
80 &	90	3	Fever — —	19
90 &	100	0	Meaſles — — —	1
		167	Palſy — — —	2
			Smallpox — —	13
			Stillborn — —	6
			Suddenly — —	2
			Swelling of the bowels	1
Decreaſed 14			Teething — —	14
			Water in head —	1

PRICES OF STOCKS, May 15.

Bank Stock, 204.
3 per cent. red. 90 a ¼.
3 per cent. conſ. 92.
4 per cent. 99⅛ a ¼.
5 per cent 118⅛ a ¼.
South Sea Old Ann. 89¾
Long Ann. 25⅞
Short Ann. 11 13-16ths a ⅞.
India Stock, 213
India Bonds, 102s. pr.
New Navy Bills, ⅓ diſc.
Engliſh Tickets, 16l. 13s. 6d. a 14s.
Iriſh Tickets, 7l. 2s. a 2s. 6d.

May 31.

Bank Stock, 201 a 200½ a 201¼.
3 per cent. red. 90⅜ a ¾.
3 per cent. conſ. 91¼ a 90⅝ a 91¼ a ⅜.
4 per cent. 100 a 99¼ a 100.
5 per tent. 118⅞ a 119⅛ a 118⅞.
Long Ann. 26⅛ a 3-16ths.
Short Ann. 11⅝ a 15-16ths.
India Bonds, 98s. a 100s. pr.
New Navy Bills, ⅛ diſc.
Engliſh Tickets, 16l. 12s. a 13s. 6d.

THE SCOTS MAGAZINE.

JUNE, 1792.

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MY LORDS,

THE Judges have taken the queſtions, ſeven in number, which your Lordſhips have been pleaſed to propoſe to them, into their conſideration; they have conferred together, and have agreed upon anſwers, which I am now to ſubmit to your Lordſhips.

Your Lordſhips firſt queſtion is, "On the trial of an information or indictment for a libel, is the criminality or innocence of the paper ſet forth in ſuch information and indictment, as the libel, matter of fact or matter of law, where no evidence is given for the defendant?"

Preliminary to all which we have to offer to your Lordſhips, we ſtate, as a fundamental principle, that the general criminal law of England is the law of libel; and that the very few particularities which occur in legal proceedings, upon libel, are not peculiar to the proceedings upon libel, but do or may occur in all caſes, where the *corpus delicti* is ſpecially ſtated upon the record: the caſe of an

indictment for publiſhing a forged promiſſory note may be put as a pregnant inſtance.

The matter of your Lordſhips firſt queſtion has no particular application to libel.

We anſwer, That the criminality or innocence of *any act done* (which includes any paper written) is the reſult of the judgement which the law pronounces upon that act, and therefore muſt be in all caſes and under all circumſtances matter of law and not matter of fact; and this, as well where evidence is given, as where it is not given for the defendant: the effect of evidence given for the defendant, as to this queſtion, being nothing more than to introduce facts or circumſtances into the caſe, which the proſecutor had left out, upon which it will ſtill be for the law to pronounce whether the act done be criminal or innocent.

Your Lordſhips ſecond queſtion is: "Is the truth or falſehood of the written or printed paper material, or to be left to the Jury, on the trial of an indictment or information for a libel; and does it make any difference in this reſpect, whether the epithet *(falſe)* be or be not uſed in the indictment or information?"

The queſtion conſiſts of two branches.

Our anſwer to the firſt branch of this queſtion is, That the truth or falſehood of a written or printed paper is not material, or to be left to a jury upon the trial of an indictment or information for a libel.

We conſider this doctrine as ſo firmly ſettled, and ſo eſſentially neceſſary to the maintenance of the King's peace, and the good order of ſociety, that it cannot now be drawn into debate.

If it be aſked, Why the word "*falſe*" is to be found in indictments or informations for libel? We anſwer, that we find it in the ancient forms of our legal proceedings, and therefore that it is retained; but that it hath in all times been the duty of judges, when they come to the proof, to ſeparate the ſubſtance of the crime from the formality with which it is attended, and too frequently loaded, and to confine the proof to the ſubſtance.

The epithet "*falſe*" is not applied to the propoſitions contained in the paper, but to the aggregate criminal reſult—Libel. We ſay, *falſus libellus*, as we ſay *falſus proditor* in high treaſon.

In point of ſubſtance, the alteration in the deſcription of the offence would hardly be felt, if the epithet were *verus* inſtead of *falſus*.

In the action for libel, the plaintiff is not put to prove the matter of the libel to be falſe, which is deciſive to ſhew that the falſehood is not part of the ſubſtance of the complaint; and though the defendant may inſiſt in his defence, and may prove, that the matter of the libel is true, it is not done in the way of contradicting what is aſſerted by the plaintiff, for then it might be done under the general iſſue; whereas, if the defendant means to inſiſt that the matter of the libel is true, he muſt plead it by way of juſtification. As between him and the plaintiff, ſeeking to recover damages for the private injury, the truth of the matter of the libel is a bar to the action for damages; the crime, and conſequently the *falſus libellus*, remaining ſtill in full force againſt him.

The ſecond branch of the queſtion is: "Does it make any difference in this reſpect, *i. e.* in reſpect of the materiality of the truth or falſehood, or its being to be left to the jury, whether the epithet "*falſe*" be or be not uſed in the indictment or information?"

Our anſwer will be very ſhort. It can make no difference in this reſpect. We are not called upon to give any opinion, and we deſire to be underſtood not to give any opinion as to the difference in any other reſpect which the omiſſion of a formal epithet, in an indictment or information, may make.

Your Lordſhips third queſtion is: "Upon the trial of an indictment for a libel, the publication being clearly proved, and the innocence of the paper being as clearly manifeſt, is it competent and legal for the judge to direct or recommend to the jury to give a verdict for the defendant?"

We anſwer, That, upon the trial of an indictment for a libel, the publication being clearly proved, and the innocence of the paper being as clearly manifeſt, it is competent and legal for the judge to direct or recommend to the jury to give a verdict for the defendant.

But we add, that no caſe has occurred in which it would have been, in ſound diſcretion, fit for a judge, ſitting at *Niſi Prius*, to have given ſuch a direction or recommendation to the jury.

It is a term in the queſtion, that the innocence ſhall be clearly manifeſt. This muſt be in the opinion of the judge; but the

the ableſt judges have been ſometimes decidedly of an opinion which has, upon further inveſtigation, been diſcovered to be erroneous; and it is to be conſidered, that the effect of ſuch a direction or recommendation would be *unneceſſarily* to exclude all further diſcuſſion of the matter of law in the court from which the record of *Niſi Prius* was ſent, in courts of error, and before your Lordſhips in the *dernier* reſort.

Very clear indeed, therefore, ought to be the caſe in which ſuch a direction or recommendation ſhall be given. In a criminal caſe, which is in any degree doubtful, it muſt be a very great relief to a judge and jury, and a great eaſe to them in the adminiſtration of criminal juſtice, to have the means of obtaining a better and fuller inveſtigation of the doubt, upon the ſolution of which a right verdict or a right judgement is to depend.

A ſpecial verdict would in many caſes be the only means, where the offence is deſcribed by ſome one or two technical terms comprehending the whole offence, the law and the fact combined: ſuch as the words, "feloniouſly did ſteal." The combination muſt be decompoſed by a ſpecial verdict, ſeparating the facts from the legal qualities aſcribed to them, and preſenting them in detail to the eye of the judge, to enable him to declare, whether the legal quality aſcribed to them be well aſcribed to them or not.

There may be a ſpecial verdict in caſes where doubts ariſe on the matter of law, but it is not *neceſſary* in all caſes. In ſome criminal proceedings (the proceedings in libel, and the publication of forged papers, for inſtance) ſome of the facts are detailed in the indictment, and, if the doubt in law ſhould happen to ariſe out of the fact ſo detailed, we ſay it is upon the record. The queſtion might have been diſcuſſed upon demurrer, without going to a jury at all; and after verdict it may be diſcuſſed on a motion in arreſt of judgement. In ſuch caſes a ſpecial verdict is not neceſſary: the verdict "guilty" will have the effect of a ſpecial verdict without the expence and delay of it, eſtabliſhing all the facts, and leaving the queſtion of law open to diſcuſſion.

There are three ſituations in which a defendant, charged with a libel, may ſtand before a judge and jury in a court of *Niſi Prius*. Firſt, The matter of law may be doubtful; in that caſe there ought to be a ſpecial verdict, or a verdict which ſhall operate as a ſpecial verdict. Secondly, The caſe may, in the opinion of the judge, be clear againſt the defendant. If the verdict is ſpecial, in form or in effect, he has no reaſon to complain; his caſe comes before the court from which the record is ſent, without the prejudice of an authority againſt him. The third ſituation is, That the opinion of the judge may be clear in favour of the defendant. In that caſe, whenever it ſhall happen, we have offered it as our opinion, that it will be competent and legal for the judge to direct an acquittal.

Your Lordſhips fourth queſtion is: "Is a witneſs, produced before a jury in a trial as above by the plaintiff, for the purpoſe of proving a criminal intention of the writer, or by the defendant, to rebut the imputation, admiſſible to be heard as a competent witneſs in ſuch trial before the jury?"

This queſtion is put ſo generally, that we find it impoſſible to give a direct anſwer to it.

The criminal intention charged upon the defendant in legal proceedings on libel is generally matter of form, requiring no proof on the part of the proſecutor, and admitting of no proof on the part of the defendant to rebut it.

The crime conſiſts in publiſhing a libel; a criminal intention in the writer is no part of the definition of the crime of libel at the common law. "He who *ſcattereth firebrands, arrows,* and *death,*" (which, if not an accurate definition, is a very intelligent deſcription of a libel) is *ea ratione* criminal; it is not incumbent on the proſecutor to prove his intent, and on his part he ſhall not be heard to ſay, "*Am I not in ſport?*" But inaſmuch as a criminal intention *may* conduce to the proof of the publication of all libels; and inaſmuch as that criminal intention is of the ſubſtance of the crime of libel in ſome caſes by ſtatute; caſes may be put, where a witneſs is competent and admiſſible to prove the criminal intention on the part of the proſecutor; and it may be ſtated as a general rule, that in all caſes, where a witneſs is competent and admiſſible to prove the criminal intention, a witneſs will alſo be competent and admiſſible to rebut the imputation.

Your Lordſhips fifth queſtion is: "Whether, upon the trial of an indictment, for ſending a threatening letter, the

meaning of the letter ſet forth in the indictment be matter of law or of fact?"

We find ourſelves embaraſſed by the terms in which this queſtion is propoſed to us.

We find no difficulty in anſwering, that the expoſition of the words of the letter, ſet forth in an indictment for ſending a threatening letter, would belong to the court, either on a demurrer, or in an arreſt of judgement; and we have no difficulty in going a ſtep further, and ſaying, that if the jury, upon the trial of ſuch an indictment, were to find a letter according to its tenor, it would be for the court to expound the letter.

And whether the letter (the ſenſe of it being thus aſcertained) be a threatening letter within the meaning of the law, is anſwered by our anſwer to the firſt queſtion. This we ſtate diſtinctly to be matter of law; it is the judgement of the law, pronouncing whether the paper be criminal or innocent.

But your Lordſhips aſk us, "Whether the ſenſe of the letter be matter of law or of fact?"

We find a difficulty in ſeparating the ſenſe of the letter from the letter; the paper without the ſenſe is not a letter.

Whether there exiſts ſuch a letter is doubtleſs matter of fact; as much as, whether it was ſent to the proſecutor of the indictment.

It is alſo matter of fact, whether an act of parliament, public or private, exiſts. And the ſame may be ſaid of every other writing, from records of the higheſt nature down to any ſcrap of paper whereon words are written, which can be qualified with crime or civil obligation.

This goes no way towards aſcertaining what belongs to a jury in an indictment for ſending a threatening letter, to which we apprehend your Lordſhips queſtion was intended to point.

The exiſtence of a public act of parliament, your Lordſhips know, is not ſubmitted to a jury at all; private acts and records may be *ſub modo*; other inſtruments and papers are; but all without exception, are expounded by the judges, and the legal effect of them declared by the judges.

This does not reſt merely on the authority of lawyers; in the nature of things it muſt be, that the judges muſt expound or recollect the ſenſe of the paper, in order to their declaring the operation of it in law.

The ſenſe of a threatening letter, or of any other words reduced into writing, is nothing more than the meaning which the words do, according to the common acceptation of words, import, and which every reader will put upon them. Judges are in this reſpect but readers. They muſt read and underſtand before they can pronounce upon criminality or innocence, which it belongs to them to do. It is a neceſſary and inſeparable incident to their juriſdiction. If they could reſort to a jury to interpret for them in the firſt inſtance, who ſhall interpret the interpretation, which, like the threatening letter, will be but words upon a paper?

We ſhall not be underſtood to be ſpeaking of that ſenſe of a paper which is to be collected from matter *dehors* the paper, which, in legal proceedings, muſt be ſtated by way of averment; which averment would be to be eſtabliſhed in point of fact, before the judges could proceed to conſtrue a paper. On a demurrer, or on motion in arreſt of judgement, theſe averments would ſtand confeſſed upon the record. If the general iſſue is pleaded, they are to be found by the jury. Judges have no means of knowing matters of fact *dehors* the paper, but by the confeſſion of the party, or the finding of the jury; but they can collect the intrinſic ſenſe and meaning of a paper in the ſame manner as other readers do; and they can reſort to grammars and gloſſaries, if they want ſuch aſſiſtance.

Theſe principles lead to the ſame concluſion for juries as for judges, in all points belonging to threatening letters, or to any other ſeries of words reduced into writing, which fall within the province of juries. For inſtance, upon a general iſſue on an indictment for ſending a threatening letter, a jury is to inquire, whether ſuch a paper as the paper charged in the indictment exiſts. They muſt read, or hear read, and underſtand, the paper charged, and the paper produced to them in evidence, in order to their finding that the paper charged does exiſt. The jury cannot know that they are the ſame papers, without comparing both the words and the ſenſe; but, when the jury have read, and ſufficiently underſtood, the paper charged and the paper produced, ſo as to be enabled to pronounce that they are the ſame papers; when the averments have been examined, and found

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to be true; when the context (if there be a context not ſet forth) has been ſeen and underſtood, and found not to alter the ſenſe of the paper produced, and to put a different ſenſe upon it than that which the paper charged imports; and when the ſending of the ſuppoſed threatening letter is found as charged; then all inquiry before the jury ends; the reſt is matter of legal concluſion.

Your Lordſhips ſixth queſtion is: "Whether, on the trial of an indictment for high treaſon, the criminality or innocence of letters or papers, as ſet forth as overt acts of treaſon, or produced as evidence of an overt act of treaſon, be matter of law or of fact?"

We have ſaid, in our anſwer to the firſt queſtion, that in all caſes, and under all circumſtances, the criminality or innocence of an act done is matter of law and not of fact.

We find nothing in the two caſes now put, which ſhould lead us to narrow the generality of that propoſition, or to except either of thoſe caſes out of it.

But, that we may not be miſunderſtood, we add, that this opinion does not go to the length of taking from the jury the application of the evidence to the overt act of which it is evidence. It only tends to fix the legal character of it in the only way in which it can be fixed. And we take this occaſion alſo to obſerve, that we have offered no opinion to your Lordſhips which will have the effect of taking matter of law out of a general iſſue, or out of a general verdict.

We know that it is often ſo combined with both as to be inſeparable from them; and we diſclaim the folly of endeavouring to prove that a jury, who can find a general verdict, cannot take upon themſelves to deal with matter of law, ariſing in a general iſſue, and to hazard a verdict made up of the fact, and of the matter of law, according to their conception of the law, againſt all direction by the judge.

Our aim has been to trace the boundary line between matter of law and fact as diſtinctly as we could. We believe that this is all that is neceſſary to be known. We have found jurors in general deſirous of keeping within their province, which is to examine into matter of fact, and cordially diſpoſed to take their directions in matter of law from thoſe whoſe education and habits enable them to declare the law, and to whom the law and conſtitution of the country have committed that important truſt.

Your Lordſhips laſt queſtion is: "Whether, if a Judge on a trial on an indictment or information for a libel, ſhall give his opinion on the law to the Jury, and leave that opinion, together with the evidence of the publication, and the application of the inuendoes to perſons and things, to the Jury, ſuch directions would be according to law?

If we do not miſunderſtand this queſtion, it is ſubſtantially anſwered in our anſwer to the third queſtion.

We mean to anſwer this queſtion in the affirmative; but, that we may be clearly underſtood, we deſire to be permitted in our anſwer to ſubſtitute the words "declare the law," inſtead of "give his opinion of the law;" and the word "declaration" inſtead of "opinion," when the word "opinion" occurs again in the queſtion; our anſwer will then ſtand thus:

"If a Judge on a trial on an indictment or information for a libel, ſhall declare the law to the Jury, and leave that declaration, together with the evidence of the publication, and the application of inuendoes to perſons and things, to the Jury, ſuch direction would be according to law."

If by the words, "leave that opinion to the Jury," is meant in any manner to refer to the Jury the conſideration of what the law is, in any view of the particular caſe in evidence, we are of opinion that ſuch a direction would not be according to law; conceiving the law to be, that the Judge is to declare to the Jury what the law is; and conceiving that it is the duty of the Jury, if they will find a general verdict upon the whole matter in iſſue, *to compound that verdict of the fact as it appears in evidence before them, and of the law as it is declared to them by the Judge.*

We prefaced our anſwers with ſtating, that the general criminal law of England was the law of libel. We conclude what we have to offer to your Lordſhips with ſtating, that the line marked out by the law for the conduct of a Jury giving a general verdict, has an univerſal application to general verdicts on general iſſues, in all caſes civil and criminal; for we cannot diſtinguiſh between the office and authority of a Jury in civil and criminal caſes, whatever difference there may be as to their reſponſibility. We deſire to

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put your Lordſhips in mind, that it hath been the modern policy to bring almoſt all queſtions, upon men's deareſt and moſt valuable rights, to be decided on a general iſſue: and it will be for your Lordſhips conſideration, whether the line we have pointed out, which we take to be eſtabliſhed in law and in reaſon, is not a great and eſſential ſecurity to the life, liberty, and property, of all the King's ſubjects, from the higheſt to the loweſt.

CONSTITUTIONAL LETTERS.

*Beate enim vivendi cupiditate incenſi omnes ſumus: * * * * Hoc vivendum eſt, poſſitne nobis hoc ratio philoſophorum dare.*—Cic. De Finibus.

N° II.] *Monday, June* 11. 1792.

TO THE PEOPLE OF GREAT BRITAIN.

My fellow-Countrymen,

WE were, not many years ſince, greatly entertained with air-balloons, a curioſity of French invention. They ſeemed to open a new range to the activity of man. To riſe above the earth, and ſoar among the clouds, was to overſtep the natural limits of human enterpriſe. Balloons might be improved to ſerve a thouſand beneficial purpoſes. News from India might be conveyed ſtill more ſpeedily through the air, than over land. A mail balloon might be even more expeditious, and leſs expenſive than a mail-coach. An *aerial* might be equipped, inſtead of a *naval* armament. Real armies might hereafter be ſeen embattled in the air, where viſionary troops had once terrified the eye of boding ſuperſtition. Perhaps, too, an aerial Columbus might, one day or another, penetrate into the ſphere of a different planet; another Cortes and Pizarro ſubdue planetary empires; and the whole ſyſtem, from Mercury to Saturn, might, at length, be ſubjected to the dominion of the inhabitants of the earth.

But, alas! theſe ſplendid views have been all diſappointed: Balloons are laid aſide. They have not enabled us to traverſe the wide regions of ſpace. Even the moon is ſtill ſecure from the attempts of terreſtrial ambition. We muſt wait for ſome new invention, before we can hope to make the tour, or the conqueſt of the univerſe.

Now, I muſt confeſs, that the more I meditate on the preſent ſtate of European politics, ſo many more points of reſemblance do I ſtill think that I perceive between moſt of the political innovations which the French have hardily tried, and which we are urged to try, — and the brilliant invention of air-balloons, which have proved unfit to lend new ſtrength to human weakneſs, or to ſupply new inſtruments to human activity. Thoſe innovations are, indeed, *fine fancies*; but they are nothing more. The whole reaſonings and views, by which their authors would recommend them, betray extreme ignorance of the human character, of the general manners of mankind, as modified by the varying forms of civil life, and of the natural defects in the ſtructure of ſociety.

Can any legiſlator, or body of legiſlators, comprehend in their view all the numberleſs and infinitely diverſified circumſtances of character, of ſituation, of time, of place, of moral improvement or decline, of poſſible increaſe or diminution of wealth, power, and refinement, — without the knowledge of which, no perfect ſyſtem of laws can ever be framed? All the varied influence of phyſical cauſes, and all the differing aſpects of moral phænomena, ſhould be clearly diſcerned at once by the architect who is employed to rear the fabric of civil ſociety. But, as a lawgiver cannot know the hearts, the underſtandings, the circumſtances of the people for whom he frames his laws; ſo neither can he foreſee all the effects of his own inſtitutions. He cannot accommodate his laws to all the changes which the courſe of events muſt bring along. Nor can he ever provide fully againſt the operation of the ſelfiſh paſſions, or the fluctuating influence of national manners. The weakneſs of human intellect has left great defects in all ſyſtems of civil policy that have ever been eſtabliſhed among men. Under deſpotiſm, the dignity of human nature has been degraded to brutal ſtupidity and meanneſs; under ariſtocracy, the few have trampled the many in the duſt; under democracy, civility has ſometimes relapſed into the barbariſm and ferocity of ſavage life. Revolution has followed revolution; but the old corruptions, errors, and diſſentions have ſtill been renewed. When the underſtanding of man is no longer ſubject to error; when the paſſions ceaſe to urge him in a headlong career, in direct oppoſition equally to private and to ſocial intereſts; then ſhall the forms of civil policy become perfect, and all parts in the machine of government perform their functions with ſteady rectitude. To be fully accompliſhed for the taſk of legiſlation, man ſhould poſſeſs the omniſcience of the Deity.

Yet,